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ABSTRACT

This is a report of the June 7-9, 1977, hearings on H.R. 15, a bill to extend for five years the Elementary and Secondary Education Act and related legislation. The focus of the hearings was on federal funding for bilingual education. The report consists of statements by persons prominent in the field of bilingual education and representatives of organizations concerned with bilingual education. Appendices contain: (1) the Bilingual Education Act, as amended through 1976; (2) the Emergency School Aid Act; (3) the executive summary of the Evaluation of the Impact of ESEA Title VII Spanish/English Bilingual Education Programs; (4) the first report by the U.S. Commissioner of Education on "The Condition of Bilingual Education in the Nation"; (5) the executive summary of "A Study of State Programs in Bilingual Education"; (6) "Bilingual Education: An Unmet Need," a report by the General Accounting Office; (7) memoranda from the Office of Civil Rights; (8) articles, including Joshua A. Fishman's "The Bilingual Education Act; High Time for Change"; and (8) miscellaneous letters, statements, and correspondence. (AM)

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PART 3: BILINGUAL EDUCATION

HEARINGS

BEFORE THE

SUBCOMMITTEE ON ELEMENTARY, SECONDARY, AND VOCATIONAL EDUCATION

OF THE

COMMITTEE ON EDUCATION AND LABOR
HOUSE OF REPRESENTATIVES

NINETY-FIFTH CONGRESS

FIRST SESSION

ON

H.R. 15

TO EXTEND FOR FIVE YEARS CERTAIN ELEMENTARY, SECONDARY, AND OTHER EDUCATION PROGRAMS

HEARINGS HELD IN WASHINGTON, D.C.
JUNE 7, 8, AND 9, 1977

Printed for the use of the Committee on Education and Labor
CARL D. PERKINS, *Chairman*

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3

CONTENTS

Hearings held in Washington, D.C.: Page

June 7, 1977 1
June 8, 1977 185
June 9, 1977 275

Statement of—

Arciniega, Dr. Tomas, Dean, School of Education, San Diego State University 238
Corrada, Hon. Baltasar, Resident Commissioner, from Puerto Rico 2
Danoff, Dr. Malcolm, Director, Bilingual Studies Center, American Institutes for Research 141
Hebert, Gilman, Director, Bilingual Education Program, St. John's Valley, Madawaska, Maine 186
Henderson, Dr. Lloyd R., Director, Elementary and Secondary Education Division, Office for Civil Rights 129
Holm, Wayne, Director, Rock Point Contract School, Navajo Nation 248
Macias, Al, Zone Chief, Division of Program Operation 105
McGuire, Willard, Vice President, National Education Association 276
Melzi, Dr. Robert C., Professor of Romance Languages, Widener College, Chester, Pa 223
Molina, Dr. John C., Director, Office of Bilingual Education, U.S. Office of Education 46
O'Malley, Dr. Michael, Multicultural/Bilingual Division, National Institute of Education 154
Orfield, Gary, Department of Political Science, University of Illinois at Urbana 335
Pena, Dr. Albar, School of Education, University of Texas at San Antonio 155
Ridge, Elton W., Project Manager, Lau-Bilingual Education, Equal Educational Opportunity Program, USOE 105
Swanson, Ms. Maria, President, National Association for Bilingual Education 321
Valdez, Ruben, Vice Chairman, National Council of La Raza, accompanied by Michael Cortes, Director, Legislative Analysis, National Council of La Raza 280

Prepared statements, letters, supplemental materials, etc.—

Arciniega, Tomas A., Dean, School of Education, San Diego State University, "The Role of Bilingual Education in Promoting Needed Reforms in American Public Schools and Universities," article by 240
Corrada, Baltasar, Resident Commissioner, from Puerto Rico, chapter 3, "The Crisis in Education," from U.S. Commission on Civil Rights 4
Hebert, Dr. Gilman, Director, Bilingual Education Program, St. John's Valley, Madawaska, Maine, testimony of 187
Henderson, Dr. Lloyd R., Director, Elementary and Secondary Education Division, Office for Civil Rights:
    Statement of 117
    Compliance report on instructional services for students whose primary or home language is other than English, HEW Form OS 53-74 137
Holm, Wayne, Director, Rock Point Contract School, Navajo Nation, testimony of 252
Melzi, Dr. Robert C., Professor of Romance Languages, Widener College, Chester, Pa., testimony of 224

Prepared statements—Continued

Page

Molina, Dr. John C., Director, Office of Bilingual Education, U.S. Office of Education:
  Prepared statement of 46
  ESEA title VII summary for centers for fiscal year 1976 by purpose, service area, name, location, director, phone number, language, grant award number and amount of grant award (tables) 72
  ESEA Title VII 1976 funding summary of local school districts in urban, town and rural categories, enrollment data 89
  Memorandum from J. Michael O'Malley, dated Apr. 22, 1977, in Review of Interim Report 50
  Native American title VII funds by language—fiscal year 1976 99
  Title VII language table—Fiscal year 1976 71
O'Malley, Dr. J. Michael, Senior Research Associate, National Institute of Education, Department of Health, Education, and Welfare:
  Testimony of 146
  "Mandated Research and Clearinghouse Activities in Bilingual Education," article entitled 162
  Proposed bilingual research agenda 171
Pena, Dr. Albar, School of Education, University of Texas at San Antonio, Bilingual Education Cost Analysis, chapter V 176
Ridge, Elton W., Project Director, Lau-Bilingual Programs, Equal Educational Opportunity Programs, U.S. Office of Education:
  Statement of 101
  Emergency School Aid fiscal year 1976 funded projects, bilingual grants 113
Swanson, Maria, President, National Association for Bilingual Education, "Proposed Revisions to the Bilingual Education Act," article entitled 322
Valdez, Ruben, Vice Chairman of the Board of Directors, National Council of La Raza, testimony in support of 282

APPENDICES

Appendix 1–A
  Bilingual Education Act, Title VII, Elementary and Secondary Education Act, as amended through 1976 355
Appendix 1–B
  Emergency School Aid Act, Bilingual Programs legislation, Sec. 708 (c), Title VII of Public Law 92–318, as amended through 1976 366
Appendix 2
  Rules and regulations, Bilingual Education Programs, from Federal Register, dated June 11, 1976 368
Appendix 3
  Evaluation of the Impact of ESEA Title VII Spanish/English Bilingual Education Programs, executive summary, from the U.S. Office of Education 382
Appendix 4
  "The Condition of Bilingual Education in the Nation," First Report by the U.S. Commissioner of Education to the President and the Congress 389
Appendix 5
  Evans, Dr. John W., Assistant Commissioner for Planning, Budgeting, and Evaluation, letter to Chairman Perkins including executive summary of "A Study of State Programs in Bilingual Education" 505
Appendix 6
  "Bilingual Education: An Unmet Need," General Accounting Office Report to the Congress 512
Appendix 7–A
  Office for Civil Rights memorandum to School Districts with more than Five Percent National Origin-Minority Group Children, dated May 25, 1970 586
Appendix 7–B
  Office for Civil Rights memorandum, "Task Force Findings Specifying Remedies Available for Eliminating Past Educational Practices Ruled Unlawful under *Lau v. Nichols*, dated Summer 1975 589

Appendix 7–C

Page
Office for Civil Rights, Analysis for Compliance Report on Instructional Services for Students Where Primary Language or Home Language is Other than English, dated Summer 1975 — 614

Appendix 8–A

Epstein, Noel, "The Bilingual Battle," article, from the *Washington Post*, June 5, 1977 — 649

Appendix 8–B

Starr, Frederick, "Needed: A Cure for Provincialism," article by — 653

Appendix 8–C

Fishman, Joshua A., "The Bilingual Education Act: High Time for Change," article by — 659

Appendix 9

Miscellaneous letters and statements:

Troike, Rudolph C., Center for Applied Linguistics, "Response to AIR Study," statement by — 667
Gray, Tracy, Center for Applied Linguistics, memorandum to Jack Jennings including "Response to AIR Interim Report" — 671
Danoff, Dr. Malcolm N., "Evaluation of the Impact on ESEA Title VII Spanish/English Bilingual Education Program," additional Testimony — 682
Perry, James H., Executive Director, Southwest Educational Development Laboratory, letter to Chairman Perkins — 687
Locci, Stelvio and Lois, letter to Chairman Perkins — 690
Cortes, Michael, Director of Legislative Analysis, National Council of La Raza letter to Chairman Perkins including additional testimony from National Council of La Raza members: Dr. Ernesto Galarza, Mr. L. F. Emerson, Ms. Maria Elena Gallegos, Mr. Cristobal D. Peck, Ms. Abigail Delgado, Mr. Javier H. Salazar — 691
Serpa, Mr. Louis J., Administrative Officer, Office of Bilingual Education, letter to Ms. Mary Anders transmitting table showing estimated amount of funds awarded to Native American and Spanish language projects, FY 1976 — 706

Appendix 10

Correspondence with Dr. John C. Molina, Director, Office of Bilingual Education:

Letter from Chairman Perkins to Dr. Molina including additional questions for the hearing record dated June 7, 1977 — 708
Response from Dr. Molina, dated June 10, 1977 — 712
Letter from Hon. Baltasar Corrada to Dr. Molina, containing additional questions, dated June 15, 1977 — 730
Response from Dr. Molina, dated June 29, 1977 — 732

PART 3: BILINGUAL EDUCATION

TUESDAY, JUNE 7, 1977

House of Representatives,
Subcommittee on Elementary, Secondary,
and Vocational Education,
Committee on Education and Labor,
Washington, D.C.

The subcommittee met, pursuant to notice, at 9:40 a.m., in Room 2175, Rayburn House Office Building, Hon. William D. Ford presiding.

Members present: Representatives Ford, Simon, Miller, Mottl, Le Fante, Weiss, Corrada, Kildee and Quie.

Staff present: John F. Jennings, majority counsel; Nancy L. Kober, staff assistant; and Christopher T. Cross, minority senior education consultant.

Mr. Ford. I will call the hearing to order.

Chairman Perkins is unable to be here this morning. I will proceed in his absence.

Today, the Subcommittee on Elementary, Secondary, and Vocational Education is resuming its hearings on H.R. 15, a bill to extend for five fiscal years the Elementary and Secondary Education Act and related legislation. The focus of today's hearing will be on Federal funding for bilingual education.

The format for today's hearing will be that Dr. John C. Molina, Director, Office of Bilingual Education, U.S. Office of Education, will describe the activities funded under the Bilingual Education Act. Then Mr. Elton W. Ridge, Project Manager, Lau-Bilingual Education, Equal Educational Opportunity Program, U.S. Office of Education, will describe activities funded under the Emergency School Aid Act. And finally, Dr. Lloyd R. Henderson, Director, Elementary and Secondary Education Division, Office For Civil Rights, will describe how the Office For Civil Rights is interpreting the requirements imposed by the landmark *Lau* v. *Nichols* decision on school districts serving children with limited English-speaking ability.

After these witnesses finish, we will then hear from a second panel of witnesses who will discuss recent evaluations of Federal bilingual efforts. This panel will include Dr. Malcolm Danoff who was responsible for the evaluation report conducted by the American Institutes for Research, Dr. Michael O'Malley from the National Institute of Education who will comment upon that report, and Dr. Albar Pena who will give us his views based on his extensive experience with the Federal government and with the University of Texas.

So, we will now begin with the first panel of witnesses.

STATEMENTS OF DR. JOHN C. MOLINA, DIRECTOR, OFFICE OF BILINGUAL EDUCATION, U.S. OFFICE OF EDUCATION; ELTON W. RIDGE, PROJECT MANAGER, LAU-BILINGUAL EDUCATION, EQUAL EDUCATIONAL OPPORTUNITY PROGRAM, USOE; AL MACIAS, ZONE CHIEF, DIVISION OF PROGRAM OPERATION; and DR. LLOYD R. HENDERSON, DIRECTOR, ELEMENTARY AND SECONDARY EDUCATION DIVISION, OFFICE FOR CIVIL RIGHTS

Mr. **Corrada**. Mr. Chairman, if I may, I would like to make an opening statement.

STATEMENT OF HON. BALTASAR CORRADA, RESIDENT COMMISSIONER FROM PUERTO RICO

I am glad to see that as a part of our review of the Elementary and Secondary Education Act, we are devoting time to Title VII, the Bilingual Education Act. It has been almost ten years since bilingual education programs were first promoted by the Federal government, and spending for these programs has increased from $35 million to $115 million, with President Carter recommending $135 million for the coming fiscal.

The Supreme Court in its *Lau* v. *Nichols* decision corroborated what educators, civil rights advocates and minorities had pointed out for years, namely that there is an enormous educational need and duty to serve those students who have a limited English-speaking ability and therefore cannot adequately cope with the existing educational systems.

If we take a look at the statistics we can understand the magnitude of the problem. For example, more than 83 percent of mainland Puerto Ricans regard Spanish as their mother tongue, compared with 72 percent of Mexican Americans and 65 percent of Cuban Americans. Only 27 percent indicated that English was the language of the home.

Today one out of every twenty Americans is a Hispanic. While there were only 70,000 Puerto Ricans in the United States back in 1940, the figure today is 1.7 million. To this figure we must add the 3.1 million U.S. citizens of Puerto Rico. Almost one-fourth of the schoolchildren in New York City are Puerto Rican, with similar percentages in Newark and Hoboken. While only 3.3 percent of all U.S. adults have had less than five years of schooling, 17.5 percent of Puerto Ricans fall into this category. While the national rate of students graduating from high school surpasses 62 percent, the comparative figure for Puerto Ricans is 28.7 percent.

While there has been and still is a great deal of controversy surrounding the need and effectiveness of bilingual education, the fact remains that we still have miles to go before we rest. In October of last year the U.S. Commission on Civil Rights issued a report entitled "Puerto Ricans in The Continental United States," which focused, among other issues, the educational needs of Puerto Ricans on the mainland. Among other recommendations made by the report, we should point out the following:

1. State education agencies should require the subnmission of data on Puerto Rican drop-out rates and rates of inclusion in low ability groups and classes for the educable mentally retarded. These figures should be used in seeking additional funding.
2. The median educational level for Puerto Ricans on the United States mainland is lower than that of the general population and other minorities except native Americans. Linguistic and cultural barriers, as well as discrimination, contribute to a high drop-out rate of Puerto Ricans from public schools and colleges. The lack of adequate bilingual-bicultural personnel and curriculum materials has been a major factor in generally poor academic achievement by Puerto Rican students. There is discrimination against Puerto Ricans in various school districts by teachers, counsellors, and other school personnel. Poor communication between schools and parents of Puerto Rican children tends to exclude parents from important school activities.
3. Bilingual-bicultural instruction should be provided in all school districts with significant enrollments of Puerto Rican or other language minority children. Target states which do not have bilingual-bicultural education laws should adopt these, and such programs should be adequately funded. These states should develop program standards and monitoring mechanisms to enforce the standards.

I hope and trust that the Federal and state governments take heed to these recommendations.

Finally, I would like to include, for purposes of the hearing record, Chapter 3 of the Commission's report, entitled "The Crisis in Education." It reads like a handbook of the job that lies ahead.

[The information referred to follows:]

Chapter Three

The Crisis in Education

Data in the previous chapter showed that mainland Puerto Ricans have lower incomes than whites, blacks, and other Hispanic minorities in the United States. The same relationship is evident in terms of education. The typical white American adult has graduated from high school and has had a taste of college; the typical black has completed 9.8 years of school; and the typical mainland Puerto Rican has completed only 8.7 years.[1]

Recent census figures (1975) also show clear differences in education among major Hispanic groups (Puerto Ricans, Mexican Americans, and Cubans), with Puerto Ricans generally at the lowest rung of the ladder. There is a sharp difference, for example, between the educational picture for Cubans and Puerto Ricans. As for Mexican Americans, while they are less likely than Puerto Ricans to have completed 5 years of school, they are more likely to have graduated from high school. In the younger age brackets (25 to 29 years) Puerto Ricans have made notable progress in education, but still lag behind other groups. (See Tables 27 and 28.)

SCHOOL ENROLLMENT AND DROPOUT RATES

Between 1960 and 1970 the dropout rate for school-age Puerto Ricans fell, particularly for young adults. But a severe dropout problem persists.

During the elementary school years (age 5 to 13), the staying power of Puerto Rican children is quite comparable to the national average: 72 percent of all youngsters age 5 to 6, and 97 percent of those age 7 to 13, are enrolled in school.

The dropout problem becomes evident in the age 14 to 17 group. Nationwide, 93 percent of all youngsters in this age group remain in school, compared with 85 percent of Puerto Rican youngsters.

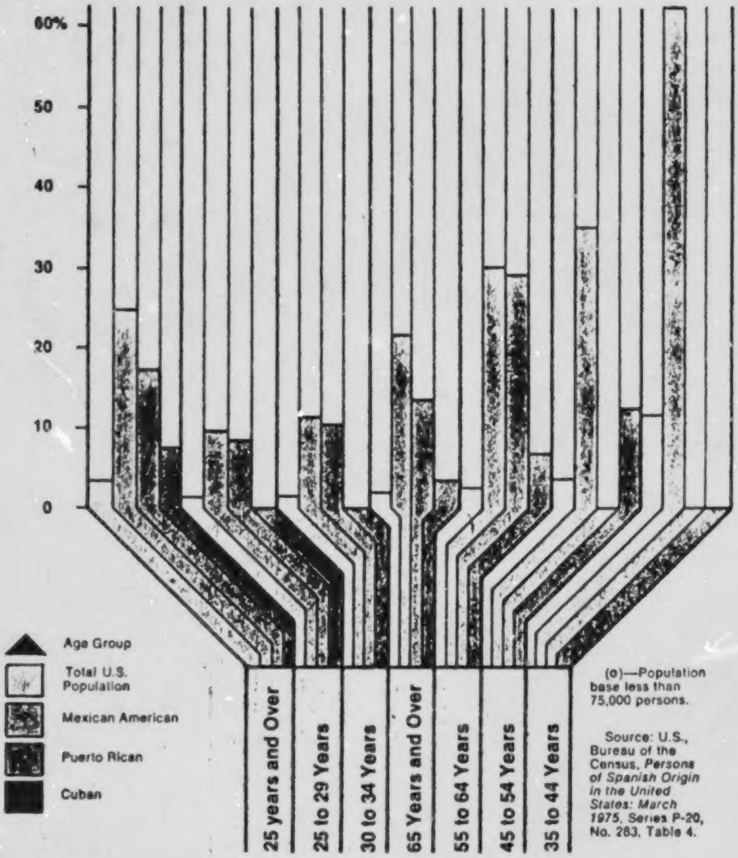
The difference grows more acute in the age 18 to 24 group. Nationwide, while 37 percent of young males remain in school, only 18 percent of the Puerto Rican males are still enrolled (the figures are comparable for women). In other words, young adult Puerto Ricans are only half as likely to be in school as their peers. (See Table 29.)

In a study conducted in Chicago, the dropout rate for Puerto Ricans in grammar and high school was 71.2 percent. The study indicated that 12.5 percent dropped out in grammar school, while 58.7 percent dropped out in high school.[2]

Students drop out of school for a variety of reasons. While some drop out because they cannot keep up academically, this is by no means the sole

Table 27

Percent of Persons (25 Years Old and Over) Who Have Completed Less Than 5 Years of School

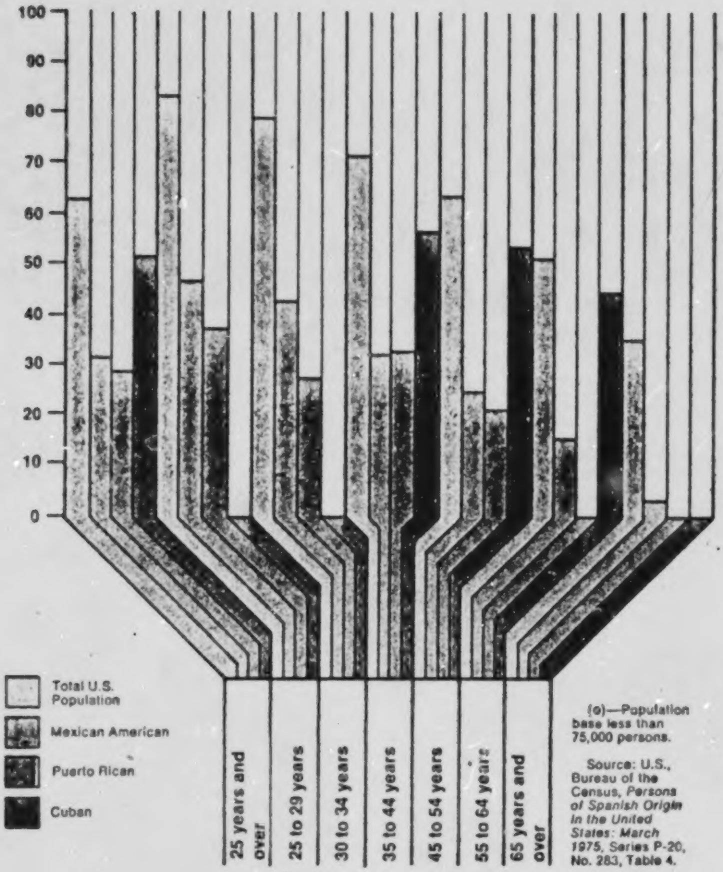


(o)—Population base less than 75,000 persons.

Source: U.S., Bureau of the Census, *Persons of Spanish Origin in the United States: March 1975*, Series P-20, No. 283, Table 4.

Table 28

Percent of Persons (25 Years Old and Over) Who Have Completed 4 Years of High School or More, March 1975



(o)—Population base less than 75,000 persons.

Source: U.S., Bureau of the Census, *Persons of Spanish Origin in the United States: March 1975*, Series P-20, No. 283, Table 4.

Table 29

School Enrollment of the Total U.S. and Puerto Rican Populations Age 5 to 34 Years: United States—1960 and 1970

(by percent)

			Puerto Rican Residents of the U.S.					
	Total in U.S.		Total		Born in Puerto Rico		Born in U.S.	
Age	1960	1970	1960	1970	1960	1970	1960	1970
5 and 6 years old	63.8	72.4	66.4	72.4	64.7	67.5	67.0	73.7
7 to 13 years old	97.5	97.3	94.9	94.9	94.2	93.2	95.7	95.6
14 to 17 years old:								
Male	87.8	93.2	75.8	85.5	73.7	78.5	83.5	90.7
Female	87.1	92.7	72.5	83.7	69.5	75.8	84.9	90.0
18 to 24 years old:								
Male	27.8	37.5	10.9	18.4	9.5	13.3	21.4	32.6
Female	18.4	27.2	8.4	14.3	7.6	10.3	13.6	26.3
25 to 34 years old	4.6	6.3	3.3	2.5	3.1	1.9	5.5	6.8

Source: 1960 Census, *Puerto Ricans in the United States;*
1970 Census, *Puerto Ricans in the United States.*

reason. Of the 30 percent of U.S. high school students who drop out each year, one-third are in their senior year and have already completed most of the required courses. Most dropouts are bored, find the school unresponsive to their cultural backgrounds, or feel compelled to obtain a job.[3]

By examining several aspects of the Puerto Rican youngster's experience in school, the multiple reasons for dropping out become clear.

LANGUAGE AND CULTURE

More than 30 percent of the 437,000 Puerto Rican students enrolled in mainland schools are born in Puerto Rico. Each year thousands of children transfer from schools in Puerto Rico to those on the mainland. (See Table 30 for student transfers between Puerto Rico and New York City.) Spanish is the mother tongue of a major segment of the Puerto Rican school-age population (and is the language used most often in the home, even for those students born on the mainland).

In New York City in 1970, of 362,000 Puerto Ricans under age 18, nearly one-fourth (80,370) had been born in Puerto Rico. About one-fourth (nearly 80,000) of the Puerto Rican and other Hispanic students in New York City's public schools speak poor or hesitant English.[4] Birthplace is, obviously, a major determinant of ability to speak English.

It is also clear that birthplace, language ability, and dropping out are closely intertwined. Great disparities exist in the dropout rates of island-born and U.S.-born Puerto Rican youngsters. Those born on the mainland tend to enroll earlier in school and tend to drop out less frequently.

About 47 percent of all mainland Puerto Ricans age 3 to 34 are enrolled in school. But this overall average is misleading: 67 percent of the mainland-born Puerto Ricans in that age group are enrolled, compared with only 28 percent of those born in Puerto Rico. The disparity is very pronounced in the age 18 to 24 group. Among males of this age group, for example, 33 percent of the U.S.-born were still in school, compared with only 13 percent of the island-born. Among males age 16 to 21, about 12,000 of the U.S.-born are not enrolled in school, compared with 32,000 island-born youngsters. (See Table 31.)

These figures indicate that the dropout rate is more severe among Puerto Rican youngsters born on the island than among those youngsters of Puerto Rican parentage born on the mainland. Island-born youngsters are more likely to have problems communicating in English, more likely to be unemployed or underemployed, and more likely to be doomed to a life of poverty.

While the education problems of mainland Puerto Ricans are certainly not limited to the island-born, this group is more adversely affected by

Table 30

Transfers of Public School Students Between Puerto Rico and New York City

School Year	Came from Puerto Rico	Moved to Puerto Rico	Net Migration to New York[1]
1954-55	9,496	3,662	5,834
1955-56	11,727	3,934	7,793
1956-57	12,905	5,020	7,885
1957-58	11,505	5,557	5,948
1958-59	10,737	6,491	4,246
1959-60	10,315	7,806	2,509
1960-61	9,414	7,688	1,726
1961-62	8,777	8,428	349
1962-63	7,942	8,508	–566
1963-64	8,245	7,849	396
1964-65	8,496	8,179	317
1965-66	9,232	7,986	1,246
1966-67	11,191	8,193	2,998
1967-68	13,706	8,696	5,010
1968-69	14,840	10,095	4,745
1969-70	12,586	12,254	332
1970-71	11,466	12,752	–1,286
1971-72	8,482	14,079	–5,597
1972-73	8,445	13,434	–4,989
1973-74	9,892	10,771	–879
10-year totals,			
1954-1963	101,063	64,943	36,120
1964-73	108,336	106,439	1,897
5-year totals,			
1969-1973	50,871	63,290	–12,419

[1] A minus sign (–) denotes net return migration from New York City to Puerto Rico.

Source: Joyce Garnes, Bureau of Attendance, New York City Board of Education, memorandum dated Oct. 6, 1975.

Table 31

School Enrollment of Mainland Puerto Ricans, by Birthplace, 1970

	Mainland Puerto Ricans	Born in Puerto Rico	Born in U.S. Mainland
Total enrolled, age 3-34	437,863	134,501	303,362
Nursery School	5,439	928	4,511
Kindergarten	29,112	5,747	23,365
Elementary (Grades 1-8)	294,785	81,006	213,779
High School (Grades 9-12)	90,822	37,279	53,543
College	17,705	9,541	8,164
Percent enrolled, age 3-34	46.8	27.7	67.4
3 and 4 yrs. old	10.6	11.4	10.4
5 and 6 yrs. old	72.4	67.5	73.7
7 to 13 yrs. old	94.9	93.2	95.6
14 to 17 yrs. old:			
Male	85.5	78.5	90.7
Female	83.7	75.8	90.0
18 to 24 yrs. old:			
Male	18.4	13.3	32.6
Female	14.3	10.3	26.3
25 to 34 yrs. old	2.5	1.9	6.8
Male 16 to 21 yrs. old	81,056	49,387	31,669

Source: U. S., Bureau of the Census, *Puerto Ricans in the United States*, PC(2)-1E, June 1973, Table 4.

inadequate schooling. Language is often the key factor that makes them different from other Puerto Rican students, many of whom may sit in the same classroom, or may even be siblings. The fact that these language-handicapped students achieve less and drop out more is compelling evidence that the schools' response to the problem has been inadequate.

One Puerto Rican parent expressed his dismay at the lack of special instruction for his children:

> ...They are practically wasting their time because they are not learning anything. First of all, they don't understand the language. What good does it do to sit there in front of the teacher and just look at her face? It is wasting their time. They don't learn anything because they don't understand what she is saying.[5]

ACHIEVEMENT LEVELS

In a sample taken by the New York City Board of Education, schools with heavy Puerto Rican enrollment had much lower reading averages than predominantly black or white schools. At every level sampled, Puerto Rican students were behind the other two groups in reading.[6]

In 1972 two-thirds of the elementary schools in New York City that contained 85 percent or more students reading below grade level had a student population which was more than 50 percent Puerto Rican.[7]

In Chicago, 1970 – 71 test scores in reading and mathematics indicated a much lower achievement rate for Puerto Rican students than the citywide median. The lag increased with each succeeding grade.[8]

TESTING

The use of standardized achievement tests contributes to the failure of public schools to teach Puerto Rican students. IQ and achievement test scores often are used as guides in assigning students to ability groups and to classes for the educable mentally retarded (EMR).

Since most tests are given in English, many children are programmed for failure. In Philadelphia, a school official acknowledged that psychological tests are often given only in English and that they form the basis for assessing the mental and emotional states of Puerto Rican students.[9]

Commenting on this point, a Philadelphia psychologist said:

> In my clinic, the average underestimation of IQ for a Puerto Rican kid is 20 points. We go through this again and again. When we test in Spanish, there's a 20 point leap immediately—20 points higher than when he's tested in English.[10]

Some school systems have attempted to overcome the language gap by translating standard IQ tests into Spanish, but these tests are often designed for Mexican American children. (Although Spanish is common to both Mexico and Puerto Rico, there are many colloquialisms peculiar to each area.) A few school systems have experimented with tests developed in Puerto Rico, but testing continues to be a major linguistic and cultural barrier for many Puerto Rican students.

STUDENT ASSIGNMENT PRACTICES

School systems frequently place underachieving students in low-ability groups, or in classes for the educable mentally retarded, or retain them in grade. Recent arrivals from Puerto Rico are often assigned to lower grades. The rationale for such practices is that students will benefit from special instruction in low-level classes, but the correlation between such placement and improved academic performance is dubious. In fact, the lower level of curriculum and the absence of stimulation from higher-achieving students may be negative factors that further retard the student.[11] If anything, the stigma attached to being labeled a "slow learner" can result in a loss of self-esteem and reinforce the student's sense of failure.[12] Rather than progress out of EMR classes or low-ability groups, students tend to remain there, be assigned vocational (rather than college-bound) curricula, or drop out altogether.[13]

A former president of the New York City Board of Education has testified:

> Historically, in New York City we have had two school systems, one school system for those youngsters who are expected to achieve, and one for the youngsters who were not expected to achieve, and don't achieve. And most of the minority group youngsters are in that second school system, and the system is pretty much set up to see to it that they don't succeed. And I think that's why they drop out of schools.[14]

The Office for Civil Rights (OCR) of the U.S. Department of Health, Education, and Welfare (HEW) has investigated ability-grouping practices in several school districts that have large Puerto Rican student populations. In East Chicago, Indiana, for example, these practices resulted in racially identifiable "tracks": students appeared to be assigned arbitrarily to a group with no apparent pedagogical justification. The school district was required by HEW to develop new assignment policies.[15] The Philadelphia school system has reported that its practice of using achievement tests as the basis for placing students in "tracking systems" has resulted in a disproportionate number of black and Puerto Rican students in low ability groups.[16]

Placement in educable mentally retarded classes is also largely determined by a child's score on a standardized IQ test given in English or upon subjective teacher evaluation. In New York City, almost 30 percent of the students in special classes for children with retarded mental development have Hispanic backgrounds. It has been suggested that faulty analysis of test results (by psychologists who do not speak the same language as the children) is responsible.[17]

The Office for Civil Rights has documented that the school district in Perth Amboy, New Jersey, assigned language-minority students to EMR classes on the basis of criteria that essentially measured English language skills, even though it appeared that the majority of the Hispanic students had difficulty with the English language. OCR also found that some regular classroom teachers were more inclined to refer Puerto Rican children to the department of special services for EMR placement than Anglo children "because they do not know how to deal with the behavioral problems of these children."[18]

The New York State Commissioner of Education has reported that non-English-speaking children are sometimes placed in classes for slow learners or EMR classes without sufficient justification. Some students were judged to be mentally retarded because they were quiet in class.[19]

These types of practices result in a high number of "over-age" Puerto Rican students in the schools. In New England, it has been reported that 25 percent of the Hispanic children have been held back at least three grades in school and that 50 percent have been held back at least two grades. Only 12 percent were found to be in the correct grade for their age group.[20] A field survey in Boston found that nearly 75 percent of the Hispanic high school students were in classes behind students of their own age.[21]

The problem is particularly acute among transfer students from Puerto Rico. A witness at the Massachusetts Advisory Committee's open meeting testified:

> They came from Puerto Rico, they're in the 10th, 11th, or senior year of high school, and they're 17, 18, 19 years old.... They came to Boston and they placed them in the 6th and 7th grades. You're wondering why they dropped out. A person who does not feel his identity is lost right there.... Here's a kid trying to learn and he automatically gets an inferiority complex and quits.[22]

PROGRAMS FOR LANGUAGE-MINORITY CHILDREN

During the 1960s two types of approaches emerged to overcome the linguistic barriers of language-minority children.[33] One approach, English as a Second Language (ESL), teaches students to communicate in English as quickly as possible. The programs provide instruction and practice in listening, speaking, reading, and writing English. Students are taken from their regular classrooms for 30 to 40 minutes per day for this special help, but otherwise remain in their regular classes for content matter instruction.

By themselves, ESL programs are very limited since they use only English to teach literacy and communication rather than the student's native language to transmit concepts and skills (which might facilitate the learning of English). ESL students inevitably fall behind in the regular classroom, where content courses are being taught.[34]

The second approach, slowly growing in acceptance, is bilingual-bicultural education. A program of bilingual education is:

> (4)(A)...a program of instruction, designed for children of limited English-speaking ability in elementary or secondary schools, in which, with respect to the years of study to which such program is applicable—
>
> (i)there is instruction given in, and study of, English and, to the extent necessary to allow a child to progress through the educational system, the native language of the children of limited English-speaking ability, and such instruction is given with appreciation for the cultural heritage of such children, and with respect to elementary school instruction, such instruction shall, to the extent necessary, be in all courses or subjects of study which will allow a child to progress effectively through the educational system....[35]

This attempt at a total approach includes the teaching of English as a second language, development of literacy in the mother tongue, and the uninterrupted learning of subject areas. It is based on the principle that learning should continue in the mother tongue rather than be postponed until a new language has been acquired. Teaching a child to read first in the language that he or she speaks makes it easier to read and write in a second language, since the basic skills are transferable from one language to another. The inclusion of curriculum materials on the student's culture and background experience also heightens interest in the subject matter.[36]

Hernan LaFontaine, a Puerto Rican educator and the executive administrator of the Office of Bilingual Education for the New York City Board of Education, has noted:

> Our definition of cultural pluralism must include the concept that our language and our culture will be given equal status to that of the majority population. It is not enough simply to say that we should be given the opportunity to share in the positive benefits of modern American life. Instead, we must insist that this sharing will not be accomplished at the sacrifice of all those traits which make us what we are as Puerto Ricans.[37]

PERSONNEL

School personnel have profound influence over the success or failure of students. Not only do they make decisions to promote or retain students in school programs, but also their attitudes and expectations often are reflected in student performance.[38] When they perceive low expectations on the part of teachers, for example, students tend to do less well on tests.[39]

In its investigation into Mexican American education, the Commission found that Anglo teachers tended to favor Anglo children over Mexican Americans in their praise, encouragement, attention, and approval. Predictably, it was also found that Mexican American students participated in class less than Anglo students.[40] No similar study of Puerto Rican students has been carried out, but it is reasonable to assume that the results would be the same.

The impact that teachers and administrators have on the learning environment for students underscores the need for school personnel who reflect the background of students and thus are more likely to relate positively to them. As the Educational Policies Commission noted:

> Despite their better judgment, people of another background often feel that disadvantaged children are by nature perverse, vulgar, or lazy. Children sense quickly the attitudes of school people toward them, and they retaliate against condescension or intolerance with hostility, absenteeism, and failure.[41]

The Office for Civil Rights recognized the influence of school personnel on equal educational opportunities in its memorandum of January 1971, "Nondiscrimination in Elementary and Secondary School Staff Practices." School superintendents were informed that discrimination in hiring, promotion, demotion, dismissal, or other treatment of faculty or staff serving students had a direct adverse effect on equal educational services for students and was therefore prohibited by Title VI of the Civil Rights Act of 1964. Since that year, OCR has required school districts to submit affirmative action plans in cases where minority faculty is underrepresented.

Despite the importance of having Puerto Rican teachers and administrators in districts with large numbers of Puerto Rican students,

Table 32

Spanish-Surnamed Students and Teachers in Selected Cities: 1972

City	% Spanish-Surnamed Students	% Spanish-Surnamed Teachers
New York	26.6	2.2
Philadelphia	3.4	0.0
Bridgeport	21.2	1.9
Hartford	21.5	3.7
New Haven	9.8	1.6
Boston	5.3	0.7
Springfield	7.7	1.3
Camden	16.8	1.8
Elizabeth	19.9	3.9
Hoboken	56.8	3.3
Passaic	31.5	1.4
Paterson	22.1	2.1
Perth Amboy	49.2	4.6
Union City	64.6	7.1
Rochester	5.6	1.4
Chicago	11.1	1.2

Source: U.S., Department of Health, Education, and Welfare, Office for Civil Rights, *Directory of Public Elementary and Secondary Schools in Selected Districts: Enrollment and Staff by Racial/Ethnic Group, Fall 1972.*

none of the districts surveyed by the Commission had an adequate representation.[32] Few school systems gather data on the number of Puerto Rican students and teachers, nor is such data now required by the Federal Government. The data that are collected usually refer to "Spanish surnamed" students or teachers, which includes other Hispanic Americans. Table 32 reflects the percentage of students and teachers of Spanish origin in several cities with large concentrations of Puerto Ricans.

New York City has the single largest concentration of Puerto Rican students in its public schools. In fiscal year 1974, nearly 300,000 Hispanic children were enrolled in the public schools, including 256,000 Puerto Rican students. Hispanics accounted for 27.0 percent of total school enrollment (23.1 percent Puerto Rican and 3.9 percent other Hispanic). (See Table 33.) Despite the fact that more than one-fourth of the student body was Hispanic, only 2.5 percent of the total number of school teachers were of Spanish origin. Only 1,391 of the 56,168 teachers in New York City had Spanish surnames. This figure is considerably larger than the 0.8 percent share 5 years previous, but the disparity between the percentage of teachers and students remained enormous (see Table 34).[33]

One study has estimated that at least 13,700 more teachers of Spanish origin would need to be hired to approach equitable representation in the New York City public schools. This would be nearly 10 times the number in 1973.[34]

The situation is no better in other major cities where Puerto Ricans live. In Chicago (1972), there were 27,946 Puerto Rican students, but only 91 Puerto Rican teachers in the entire system. Of 1,706 administrative and supervisory personnel, only 17 were Puerto Rican. No statistics were available for the number of Puerto Rican counselors.[35]

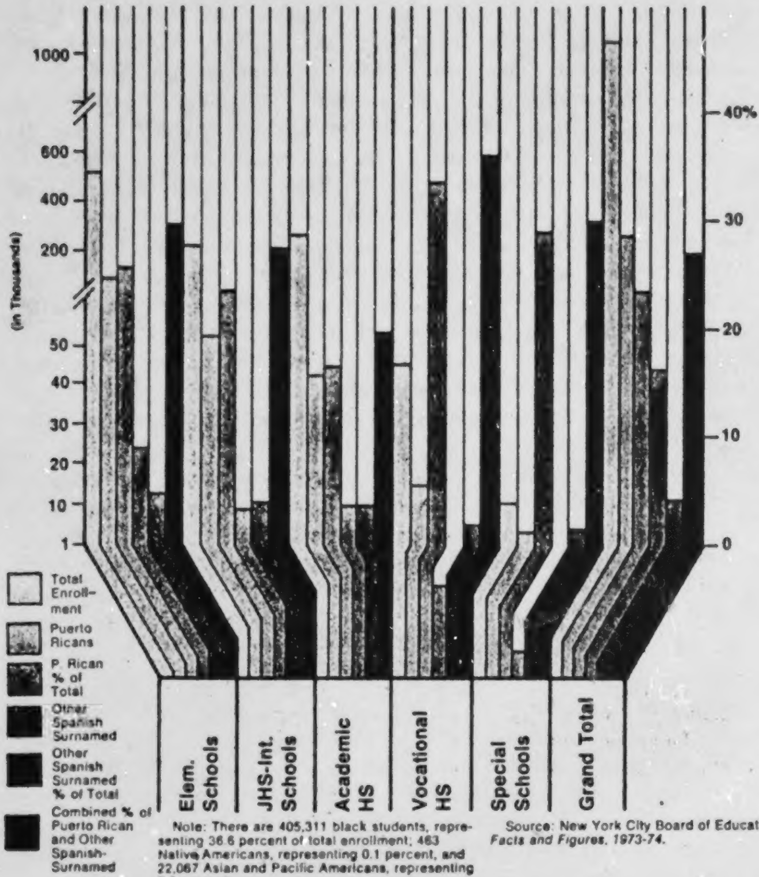
In Boston (1972), only 5 of the city's 4,729 teachers were Puerto Rican, and not one guidance counselor could speak Spanish. In Springfield, Massachusetts, there were only 5 Puerto Rican and 5 other Hispanic teachers for 1,485 Puerto Rican students.[36] In Philadelphia, less than 1 percent of the teachers were Puerto Rican; only 2 of 532 guidance counselors were Puerto Rican, about 1 for every 4,750 Puerto Rican students.[37] In Bridgeport, Connecticut (1971), the board of education employed only 10 Puerto Rican teachers for nearly 4,000 Puerto Rican students. None of the 23 full-time counselors was Puerto Rican. A plan to recruit more teachers of Spanish origin was vetoed by the school board.[38]

COUNSELING

Many Puerto Rican students perceive their non-Hispanic teachers and counselors as indifferent or insensitive. One student in Connecticut testified:

Table 33

Puerto Ricans and Other Spanish-Surnamed-Students in New York City Public Schools: 1973-74



Note: There are 405,311 black students, representing 36.6 percent of total enrollment; 463 Native Americans, representing 0.1 percent, and 22,067 Asian and Pacific Americans, representing 2.0 percent.

Source: New York City Board of Education, *Facts and Figures, 1973-74.*

Table 34

Staff of New York City Public School System, Including number and percentage of Spanish-Surnamed Staff, 1968, 1972, 1973

	Fall 1968			Fall 1972			Fall 1973			Fall 1974		
Job Category	Total	Spanish Surnamed	%	Total	Spanish Surnamed	%	Total	Spanish Surnamed	%	Total	Spanish Surnamed	%
Principals	893	1	0.1	940	20	2.1	962	31	3.2	981	39	4.0
Assistant principals	1,841	6	.3	2,600	40	1.5	2,645	38	1.4	2,705	48	1.8
Teachers	54,908	522	1.0	55,242	1,158	2.1	56,168	1,391	2.5	55,415	170	3.1
Other professional staff	6,080	156	2.6	–	–	–	–	–	–	–	–	–
Other instructional staff	–	–	–	4,110	220	5.4	4,038	232	5.7	4,120	227	5.5
Full-time Clerical office staff	–	–	–	3,465	165	4.8	898	26	2.9	–	–	–
Part-time professional staff	–	–	–	2,217	37	1.7	2,371	46	1.9	–	–	–

Note: In spring 1975 the New York City Board of Education began laying off thousands of teachers and other staff. Statistical information reflecting the current situation in New York City is not yet available.

Source: New York City Board of Education, Division of Teacher Personnel.

> I feel that the teachers don't care about the students....A Spanish-speaking student comes into the room, immediately that person is considered dumb without even being given a chance.[39]

A Puerto Rican student in Camden, New Jersey, echoed the belief that counselors are insensitive to Puerto Rican students:

> The attitude that a lot of counselors had with a lot of friends of mine, because a lot of the individuals that graduated with me from high school are now shooting drugs and doing time in jail [is] to generalize and tell me that my people are dumb, that we make good dishwashers. We can't manipulate our minds, but we're good with our hands, and we are docile....[40]

Another Puerto Rican student told the Pennsylvania Advisory Committee of her efforts to be admitted to an academic course and of the repeated warnings of guidance counselors that "I should not aim too high because I would probably be disappointed at the end result."[41]

Few Puerto Rican students are encouraged by high school counselors or teachers to think about college. The president of Hostos Community College in Bronx, New York, cited several instances in which counselors told Puerto Rican high school students that they were not "college material." One girl, who, according to this official, eventually completed her junior and senior years in 1 year at Queens College, allegedly had been removed from a college preparatory curriculum in high school and put into a secretarial course.[42] A counselor at Temple University (Philadelphia) said, "A lot of Puerto Rican kids don't think of college. They're not exposed to the right counselors in high school. They're in the wrong programs: most are in nonacademic courses."[43]

PARENT AND COMMUNITY INVOLVEMENT

Families exercise great influence on student attitudes toward education. By working in concert with parents, schools maximize chances that students will effectively participate in public education.[44]

In their open meetings, the Commission's State Advisory Committees heard testimony that Puerto Rican parents and community leaders were frequently excluded from participation in school matters. In Massachusetts, it was found that "poor communication, if any, exists between the local school districts and the Puerto Rican community."[45] A major reason was difficulty with the English language. Often, parents could not communicate with authorities because of this language barrier; school notices generally were in English.

In Illinois, a parent representative on a Title I advisory council said that meetings were sometimes imcomprehensible to her. The council's agenda and related information were always prepared in English.[46]

In Bridgeport, Connecticut, 89 percent of the Puerto Rican parents surveyed said that they had difficulty in communicating in English, but only 20 percent received written notices in Spanish.[47]

Puerto Rican parents have been frustrated in attempts to join councils and organizations representing the school community. They often do not participate in PTA organizations, whose meetings are conducted in English.[48] Community involvement in advisory councils to Federal programs, such as those under Titles I and VII of the Elementary and Secondary Education Act, has also been limited, despite the requirement that communities be involved in decisionmaking. Although Puerto Ricans were about 5 percent of the student enrollment in Boston, the Title I advisory council of 66 members and 42 alternates had no Puerto Rican representatives.[49]

In Chicago, most of the six Hispanic members of the citywide advisory council were employees of the school system. This would appear to create some difficulty over their ability to function as impartial advisers to school programs.[50]

DECENTRALIZATION

Because advisory groups have been unable to influence unresponsive school districts, Puerto Rican and other minority communities have in recent years demanded decentralization and community control of schools which serve their children. For Puerto Ricans, this demand has been most vehement in New York City.

In the wake of the 1968 teachers' strike in New York City, the State passed a decentralization law.[51] It established the central board of education; created the position of chancellor to replace the superintendent of schools; and established a system of 32 elected community school boards. Decisionmaking was split between the central board and the community boards, with the central board retaining much of the final authority.[52]

Community boards are comprised of, and elected by, parents who have resided in the district 1 year, are U.S. citizens, over 21 years of age, and are registered voters. Within their attendance zones, the boards have jurisdiction over elementary through eighth grade education. They appoint a community superintendent; oversee instruction of students;[53] assign, promote, and dismiss principals and teachers; prepare operating budgets; and apply for State and Federal grants.[54]

The central board determines district boundaries and conducts elections of local school board members. All high schools and special schools are centrally controlled.

The central board, the chancellor, and the board of examiners[55] have residual powers over the local districts as follows: First, local boards are limited in that personnel decisions and policies may not conflict with any collective bargaining agreement; such agreements are negotiated by the central board. Second, teachers and supervisors are selected (under a civil service system) from among those passing competitive or qualifying examinations administered by the board of examiners. Third, the central board determines minimum educational and experience requirements for teachers and supervisory personnel.[56] And, fourth, regulations concerning staff dismissals and cutbacks due to budget reductions and declining enrollments continue to be promulgated by the central board.

Decentralization is intended to open the way to greater parental involvement in operating the schools. But in New York City problems remain unsolved. For example, the central board is responsible for supplying technical aid to community boards in the preparation of project proposals to the Federal and New York State governments, but the board has been lax in this duty.[57] Problems are most acute in the design of proposals for Title I and State urban education financing and in applications for education projects under other Federal programs. In 1972, for example, community boards were given only 2 days notice to submit Title I proposals. Title VII proposals were prepared by local boards without any consultation with staff of the central board.

The benefits to date of decentralization appear mixed as far as Puerto Ricans are concerned. Recent modest increases in Puerto Rican teachers and administrators in New York City may be partially due to decentralization, but parental involvement in important school decisions remains limited.

THE GOVERNMENT'S ROLE IN THE EDUCATION OF PUERTO RICAN PUBLIC SCHOOL STUDENTS

The Federal Government has traditionally provided leadership to equalize educational opportunity for students from minority groups. Federal attention was first focused on the issue of school desegregation when several States and local school boards resisted implementation of desegregation laws. The Federal role was later extended to meet the special needs of language-minority students and to enforce laws that provide them with equal access to education.

State governments have also increasingly concerned themselves with development of special programs for disadvantaged and language-minority students.

Federal Special Aid Programs: The Elementary and Secondary Education Act (ESEA) of 1965 was the first comprehensive legislation designed to support programs for low-income students with special educational needs.[58] The act contains eight titles, three of which—Titles I, VII, and VIII—can fund programs for language-minority students.

Title I provides the bulk of ESEA funding. In fiscal year 1974, school districts received $1.6 billion to support compensatory education for low-income students. Funds are disbursed to States according to the numbers of low-income students and may be utilized for a variety of purposes, including early childhood education, reading, mathematics, ESL, and bilingual programs.

Title I has enormous potential for meeting the needs of language-minority students. In fiscal year 1971, Congress appropriated $1.8 billion under Title I, of which New York State received $192 million. Although about 23 percent of New York City's students were Puerto Rican, only $4 million (3.2 percent) of the $125 million allocated to the city went to Title I programs serving them. A total of $673,213 was spent on bilingual programs. In 1972 funding for bilingual programs increased to more than $3 million, while $503,322 was allocated for ESL programs. Approximately 14,400 students benefited from Title I language programs, the majority of whom were Hispanic.

Title I funds were also utilized to recruit and train teachers of Spanish origin. The program recruits native Spanish-speaking graduate and undergraduate students and trains them for teaching in New York schools. Nearly half of the Puerto Rican teachers now in the public school system are products of the program. Title I funds also help underwrite programs to motivate pupils who have dropped out of school.[59]

Title VII, also known as the Bilingual Education Act, funds demonstration projects to meet the special needs of low-income children who speak limited English.[60] Unlike Title I, the program could not meet the needs of all or even most needy children because of its limited funding. In fiscal year 1971, for example, proposals for Title VII funds submitted by local districts in New York City alone totaled $70 million, yet the appropriation of funds for the entire nation was only $25 million. New York State received slightly more than $1 million.[61]

Most of the projects funded by the U.S. Office of Education served Mexican American children in California and Texas. In 1971 New York received $1.2 million, California received $17.3 million, and Texas received $12.5 million.[62]

Increased Federal funding is needed for curriculum development, nationwide teacher training programs, and research into evaluation measures for bilingual education.[43] A combination of these activities and techniques, along with experience gained in demonstration programs, could increase the nation's capacity to provide quality education for all children.

Title VIII provides funds to local educational agencies for developing school dropout prevention programs. Since language difficulties are a major cause of dropouts among Puerto Ricans, Title VIII can be used to support language programs. Like Title VII, Title VIII projects are designed for demonstration purposes and support must later be assumed by the local school district. Schools qualifying for Title VIII aid may be located in urban or rural areas, must have a high percentage of low-income children, and must have a high proportion (35 percent or more) of children who do not complete their elementary or secondary education.

Funding for Title VIII has never exceeded $10 million nationwide, and thus has had little impact on the dropout problem among Puerto Ricans. Only 19 school districts had received Title VIII grants by 1972. In New York State, where the majority of mainland Puerto Ricans live, only one district, Fredonia, had received a Title VII grant.[44]

Since 1972 funds have been available for bilingual education under the Emergency School Aid Act (ESAA), a program designed to help school districts in implementing desegregation plans. In addition to a fiscal year 1974 appropriation of more than $236 million, ESAA provides $9 million as a set-aside for bilingual education programs; 47 programs have been so funded. Most were in Texas. New York received the second largest amount of bilingual set-aside funds.[45]

State Governments: School districts receive most of their financial support from their State governments. State agencies set academic standards and credential requirements, and influence policy and practice at all levels in local districts. States have fought to protect their jurisdiction over local education and therefore have major responsibility for ensuring equal educational opportunity for language-minority students. Several States have passed legislation, authorized funds, or issued policy regulations that address the needs of language-minority students.

In Massachusetts the 1971 Transitional Bilingual Education Act has involved the State and local school districts in a comprehensive program. The bill mandates that transitional bilingual education programs be implemented in each district with 20 or more children of limited English-speaking ability in one language classification.[46] It provides for supplemental financial aid to help school districts meet the extra costs of such programs.[47]

In Illinois bilingual education is supported almost exclusively by State funds. State funds for bilingual education in the 1972 – 73 school year totaled approximately $2.4 million. Public Law 78 – 727, which became effective in September 1973, mandates bilingual education by July 1, 1976, in attendance zones having 20 or more students whose first language is other than English.[68] However, Illinois school districts are making little progress to prepare for bilingual education. Efforts to recruit bilingual personnel still have not been fully undertaken. The Chicago board of education has no affirmative action plan with goals and timetables for hiring Hispanic teachers.[69]

In New Jersey, an office for Hispanic affairs in the division of curriculum and instruction at the State department of education assists in allocating State resources more effectively to meet the needs of students of Spanish origin.[70] In January 1975 the State legislature passed a compulsory bilingual education bill that requires school districts with 20 or more children of limited English-speaking ability to provide bilingual education programs.

Ironically, New York State, home of the great majority of mainland Puerto Rican students, has no law mandating bilingual education. Its "English only" law has been amended to permit 3-year programs of bilingual instruction in the public schools.[71]

In lieu of a legislative mandate for bilingual education, the Board of Regents of the University of the State of New York stated that they "believe it is the duty of the school to provide programs which capitalize on the strengths of the non-English-speaking child and his family."[72] Less commitment to the needs of language-minority children is inherently discriminatory, according to the board.

The regents directed increased use of Title I ESEA and State Urban Education funds for bilingual education and ESL programs, and defined the responsibility of local school districts in New York State as follows:

> In any case, where there are approximately 10 or more children of limited English-speaking ability who speak the same language and are of approximately the same age and level of educational attainment, every effort should be made to develop a bilingual rather than second language program.[73]

The New York State Department of Education has also established an office of bilingual education to oversee programs for non-English-speaking children. Under the auspices of that office, according to the regents, the State will actively press for adherence to the guidelines established in the May 25 memorandum of the Office for Civil Rights, HEW.[74]

In Pennsylvania, the State secretary of education directed school districts to provide bilingual education in every district having 20 or more non-English-speaking students in a language category.[75] New guidelines stipulate that basic State subsidy money must be used by the districts to teach children in their dominant language:

> ...every school district with 20 or more students whose dominant language is not English...will have to use its basic per pupil instructional subsidy plus its Title I per pupil allocation plus whatever other categorical funds are available to educate its Puerto Rican students. This means basic instruction—not just supplementary help.[76]

Moreover, the Pennsylvania education department says it will use its authority to force school districts, through the threat of fund cutoffs, to provide Puerto Rican children with an adequate education.

Although several States have demonstrated concern over the quality of education received by Puerto Rican students, school districts have claimed that they lack funds to implement new programs. Additional funds are needed to extend these programs to thousands of Puerto Rican students.[77]

School districts currently receive millions of dollars each year to educate children in their attendance zones. Per-pupil expenditures are virtually wasted on Puerto Rican and other language-minority children unless they can be redirected for compensatory language training and other special programs.

States could require, as a necessary first step, that local districts survey the language dominance of students; the achievement test scores of language-minority students; placement of language-minority students in low-ability groups or educable mentally retarded classes; and dropout rates for language-minority students. Based on such data, schools and districts could prepare operating budgets and requests for special State and Federal funds. States could also evaluate district budgets to monitor the extent to which a good faith effort is being made.

THE COURTS AND LANGUAGE-MINORITY CHILDREN

The continued unresponsiveness of school districts to the needs of language-minority students has stimulated court action. In *Lau* v. *Nichols* the Supreme Court of the United States ratified HEW guidelines contained in the May 25, 1970, memorandum known as the "May 25th Memorandum." The Court decided that:

> Basic English skills are at the very core of what these public schools teach. Imposition of a requirement that before a child

> can effectively participate in the educational program, he must already have acquired those basic skills is to make a mockery of public education. We know that those who do not understand English are certain to find their classroom experiences wholly incomprehensible and in no way meaningful."[78]

The decision in *Lau* v. *Nichols* found that a monolingual educational policy does violate HEW guidelines. The Court did not rule on whether the private plaintiffs had a constitutional right to bilingual education. While finding the school district to be in noncompliance with Title VI of the 1964 Civil Rights Act, the Court explicitly declined to state what an appropriate remedy for such a violation may be. As of September 1976, Federal district court in San Francisco was reviewing a master plan for bilingual-bicultural education submitted by the school district.[79]

Aspira of New York, Inc. v. *Board of Education of the City of New York*[80] was the first major case concerning equal educational opportunity for Puerto Rican children.[81] Puerto Rican students and their parents, ASPIRA of New York, Inc., and ASPIRA of America, Inc.[82] brought action against the Board of Education of New York City individually and on behalf of a class comprising an estimated 182,000 Spanish-speaking students in New York City public schools.

The suit alleged that the school system had failed either to teach Spanish-speaking children in a language that they understood, or to provide them with the English language skills needed to progress effectively in school. Plaintiffs charged they were faced with unequal treatment based on language, and thus were denied equal educational opportunity as compared with English-speaking students.

After the *Lau* decision, plaintiffs moved for a summary judgment. The court, in ruling on the motion, asked both parties to submit plans which, in their view, satisfied the mandate of *Lau* as applied to Puerto Rican and other Spanish-speaking students in New York City's public schools.[83]

Negotiations followed the submission of these plans. With the approval of the court, the parties entered into a consent decree on August 29, 1974,[84] which provided that:

> 1. The board of education would identify and classify those students whose English language deficiency prevents them from effectively participating in the learning process, and who can effectively participate in Spanish.
>
> 2. By September 1975, the defendants were to provide all the children described above with: (a) a program to develop their ability to speak, understand, read, and write English; (b) instruction in Spanish, in such

substantive courses as mathematics, science, and social studies; (c) a program to reinforce and develop the child's use of Spanish, including a component to introduce reading comprehension in Spanish to those children entering the school system, where an assessment of reading readiness in English indicates the need for such development. In addition to, but not at the expense of, the three central elements of the required program, entitled students were to spend maximum class time with other children to avoid isolation from their peers.

3. By the beginning of the second semester of the 1974--75 school year, the defendants were to provide all elements of the program to all children within the defined class at pilot schools designated by the chancellor. By September 1975 the program was to encompass all children within the defined class.

4. The board of education was to promulgate minimum educational standards to ensure that the program would be furnished to all children within the defined class, and ensure that the program would be provided in each of the community school districts. (On July 21, 1975, after lengthy negotiations, the minimum educational standards were issued by the chancellor.)

5. The defendants were obligated to use their maximum feasible efforts to obtain and expend the funds required to implement the program. If there are insufficient funds to implement the program, defendants were to notify plaintiffs' lawyers. (As of March 1976, they had not yet notified the Puerto Rican Legal Defense and Education Fund, Inc. that there were insufficient funds or insufficient staff.[85])

In addition to these stipulations, the consent decree included agreements regarding the use, development, and dissemination of appropriate materials and tests, and the recruitment, training, or retraining of adequate staff.

The decree also set specific timetables for completing each task. The defendants were required to consult with plaintiffs concerning the development and implementation of all items in the consent decree. The court retained jurisdiction to hear and settle disputes concerning the adequate implementation of the decree.

Implementing the Decree: The chancellor for the city school district of New York is ultimately responsible for implementing the consent decree.[86] He has set up a project management team to monitor the progress of the program and to coordinate the different divisions of the board of education.[87]

The decree required that an improved system of student identification and eligibility for the program was to be developed. A complete battery of tests was designed in the fall of 1974. This is commonly referred to as the

L.A.B. (Language Assessment Battery). The board of education agreed to use the results of that test to place children in those special classes provided for by the consent decree. The L.A.B. was administered in the spring of 1975 (the only previous test was an assessment of oral language skills in English).[88]

Not until September 1975 were procedures established to monitor adherence to the standards and to the decree.

The minimum educational standards included:

1) English language instruction;
2) Subject area instruction in the pupil's dominant language;
3) Reinforcement and development of the child's use of Spanish, including development of reading and writing skills;
4) Opportunity for spending maximum time with other pupils in order to avoid isolation and segregation from peers without diluting or abrogating the above mentioned three elements.

Forty schools (including elementary, junior high, and senior high schools) were designated as "pilot schools" to serve as models and training centers in preparation for full implementation in September 1975. Their selection was based on whether or not the schools were already implementing one or more phases of the program.[89]

An evaluation of the pilot schools was undertaken by the Community Service Society of New York.[90]

The chancellor has emphasized that, for the most part, basic city tax levy funds (rather than State or Federal funds) would be utilized to implement the consent decree. The district also receives $11 million in supplementary tax levy funds, and an increased amount is being requested by the board to help implement the decree.[91]

The city school district also receives funds from State and Federal sources, and is exploring the possibility of using some of these funds to implement the decree.

On July 11, 1975, Judge Frankel settled another dispute generated by this lawsuit, ruling that parents of Hispanic students found entitled to the program could withdraw their children. Appended to the court's memorandum and order were the forms of notice to school administrators and letters to Hispanic parents which established the opting-out procedures. As described by the court, the form letters and notice were intended to "permit opting-out while refraining from encouraging it." The form letters and notice were agreed to by counsel for the plaintiffs only after negotiations, and even then outstanding differences had to be finally resolved by the court.[92]

On September 9, 1975, the court ordered the defendants to provide certain information essential to determining the degree of compliance with the program. As of that month, there appeared to be sufficient numbers of adequately trained persons available to implement one aspect of the decree, the hiring of trained personnel. But certain schools had not yet hired staff to implement the program. On December 22, 1975, plaintiffs' lawyers moved to hold the chancellor and members of the board of education in civil contempt for failing to fully implement the decree.[83]

In his response to this report, Chancellor Anker stated that "The larger part of the effort briefly described here had taken place before the Consent Decree was signed in August of 1974. Although it is true that the impact of the decree had obviously accelerated many of these activities we certainly feel that recognition should be given to our willingness to address a major educational problem in an innovative and responsible manner."

This view conflicts considerably with that of Federal District Judge Frankel, who heard the case and approved the consent decree. In an opinion granting attorney's fees to the plaintiffs, Judge Frankel said:

> Nevertheless, however positive we may wish to be and whatever the naivete of judges, the defendants must surely recall the long and sometimes bitter times before the era of good feelings set in. This is not a subject the court desires to dwell upon now or, if possible, ever. It should be sufficient to remind everyone, without detailed documentation, that even though 18 or 20 months of struggle and a motion for summary judgment led to negotiations for a consent decree, there were bargaining sessions when the court was driven to speak as more than a "mere moderator," [citations omitted]...occasions when the Board was chided for what seemed tardy and grudging concessions, and a penultimate stage at which the Board's adversary passion led to blatant infringement of first amendment rights. To the very end, it must be said, steady and energetic pressure by plaintiffs' attorneys was required so that pertinent information and responsive proposals would be forthcoming on a reasonably prompt and orderly schedule. (Aspira of New York, Inc. v. Board of Education of the City of New York, 65 F.R.D. 541,544 (S.D. N.Y. 1975)).

Although the consent decree has not yet been fully implemented, it is viewed as a vital step in achieving equal educational opportunity for Puerto Rican students in New York City's public schools, and a basis for protecting the rights of other non-English-speaking children in the city.[84]

PUERTO RICANS AND HIGHER EDUCATION

An estimated 25,000 mainland Puerto Ricans were enrolled as full-time college undergraduates in 1972.[55] This figure reflects vigorous growth in recent years. In New York City, for example, 1970 census data showed that there were only 3,500 Puerto Rican college graduates (compared with 2,500 in 1960). That year, only 1 percent of the Puerto Rican adults in New York City were college graduates, compared with 4 percent of black adults and 13 percent of white adults.

The City University of New York (CUNY) had 5,425 Puerto Rican undergraduates in 1969. By 1974 CUNY had 16,352 Puerto Rican undergraduates. This is not only a substantial leap in numerical terms, but also a sign of growing Puerto Rican participation in higher education. In 1969 Puerto Ricans at CUNY represented 4.0 percent of total enrollment; by 1974, they were 7.4 percent of the undergradutes. (See Table 35.)

In 1974 Puerto Ricans and other Hispanics (defined as Spanish-surnamed Americans) represented 13.4 percent of the first-time freshmen in the CUNY system, compared with 6.0 percent 5 years previous. (See Table 36.) Further growth of Puerto Rican college enrollment is an immediate possibility since in the 1974 – 75 school year Puerto Ricans represented 16.1 percent of all students in New York City's academic high schools (the pathway to college), and other Hispanics represented another 4.9 percent. (See Table 37.)

While there is reason for optimism, the growth trend rests on shaky foundations. Much of the increased enrollment is due to the "open enrollment" policy of the CUNY system and fluctuating levels of federally-funded financial aid and support services. The New York City fiscal crisis has profoundly affected CUNY. On June 1, 1976, Chancellor Robert Kibbee closed CUNY for 2 weeks owing to lack of funds. On June 12, the Board of Higher Education, under intense pressure from State and city officials, voted to charge tuition for the first time. The cost is $775 a year for freshman and sophomores and $925 for upperclass students. As part of the $27 million State aid package, $3 million was authorized for the educational needs of Spanish-speaking students in Hostos Community College.[56]

Figures are not yet available to ascertain how many Puerto Ricans students are dropping out due to academic or financial problems. Nor are figures available to show how many Puerto Ricans are actually graduating from college, in comparison with previous years.

In the absence of this data, the only reliable source that offers means of comparison is the limited information supplied by the 1970 census. These data show that, although more Puerto Ricans are going to college, they are much less likely to attend college than are high school graduates from

Table 35

Ethnic Composition of CUNY Undergraduates by Numbers and Percentages: Fall 1969-1974

Group	1960	1970	1971	1972	1973	1974
White	77.4% (104,974)	74.0% (117,566)	71.8% (129,232)	64.0% (125,804)	58.2% (121,887)	55.7% (123,079)
Black	14.8 (20,072)	16.9 (26,850)	19.5 (35,098)	22.4 (44,031)	25.8 (54,033)	25.6 (56,568)
Puerto Rican	4.0 (5,425)	4.8 (7,626)	5.9 (10,619)	6.9 (13,563)	7.5 (15,707)	7.4 (16,352)
Other Spanish-Surnamed American[1]	N/A	N/A	N/A	1.8 (3,538)	2.3 (4,817)	3.0 (6,629)
American Indian	0.4 (543)	0.2 (318)	0.3 (540)	0.3 (590)	0.3 (628)	0.4 (884)
Oriental	2.0 (2,713)	2.1 (3,336)	2.0 (3,600)	2.1 (4,128)	2.2 (4,607)	2.6 (5,745)
Other	1.4 (1,899)	2.0 (3,177)	0.5 (900)	2.5 (4,914)	3.7 (7,749)	5.3 (11,711)
Total	100.0% (135,626)	100.0% (158,873)	100.0% (179,989)	100.0% (196,568)	100.0% (209,428)	100.0% (220,968)

[1] The ethnic category "Other Spanish-Surnamed American" was not required by HEW until 1972.

Source: City University of New York.

Table 36

Ethnic Composition of Matriculated First-time Freshman by Numbers and Percentages, Fall 1969-1974

	NEW YORK STATE						Estimated 1974 New York City U.S. Graduates
Group	1969	1970	1971	1972	1973	1974	
Black	13.9% (2,815)	17.3% (6,144)	21.3% (8,370)	21.8% (8,340)	26.9% (10,221)	28.8% (12,087)	22.2% (15,595)
Puerto Rican & Spanish-Surnamed American[1]	6.0 (1,215)	7.8 (2,769)	8.7 (3,332)	11.8 (4,514)	14.1 (5,358)	13.4 (5,624)	14.8 (10,396)
Other[2]	80.1 (16,223)	74.9 (26,598)	70.0 (27,509)	66.4 (25,402)	59.0 (22,419)	57.8 (24,259)	63.0 (44,255)
Total	100.0% (20,253)	100.0% (35,511)	100.0% (39,211)	100.0% (38,256)	100.0% (37,998)	100.0% (41,970)	100.0% (70,246)

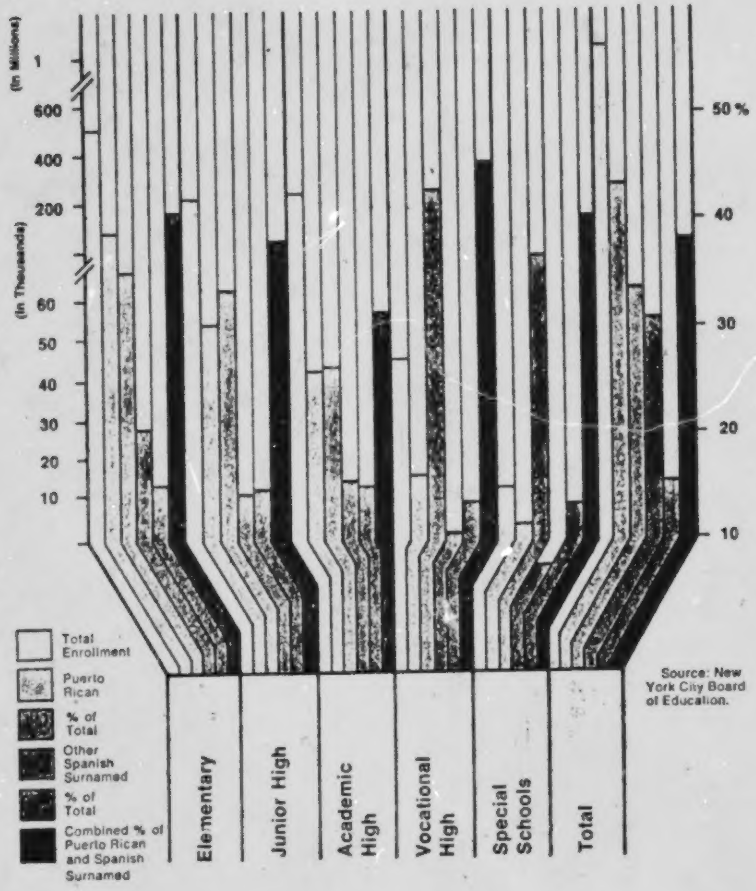
[1] Figures were derived by applying the ethnic distribution of New York City public and nonpublic 12th graders to the actual numbers of New York City graduates of public and nonpublic high schools.

[2] Includes whites, Asian Americans, Native Americans, and others.

Source: New York State Education Department, Information Center on Education.

Table 37

Total, Puerto Rican and Spanish-Surnamed Student Enrollment in New York City Public Schools, 1974-75.



Source: New York City Board of Education.

other racial or ethnic groups. In 1970, 45 percent of college-age youths in the U.S. were reported to be engaged in higher education, compared with 15 to 20 percent of blacks, and only 5 percent of Puerto Ricans.[97]

Among college freshmen there has been a smaller percentage of Puerto Ricans than of blacks, Mexican Americans, Asian Americans, or Native Americans. Between 1971 and 1973, the percentage of black freshmen dropped from 8.6 to 7.6 percent, and of Puerto Rican freshmen from 0.6 to 0.4 percent.[98] At the other end of the academic spectrum, Puerto Ricans constituted only 0.01 percent of all minority group doctoral degree recipients in 1973. (Of 2,884 minority group recipients that year, only 37 were Puerto Rican, with 2 from Puerto Rico.)[99]

The limited data available, and results from Commission field research in New York, Philadelphia, Newark, and Chicago, suggest the following composite of the mainland Puerto Rican college student: The student is more likely to be male than female and from a low-income family.[100] He is the first in his family to go to college and is somewhat older than the average student, as he may have worked or completed military service prior to entering college.

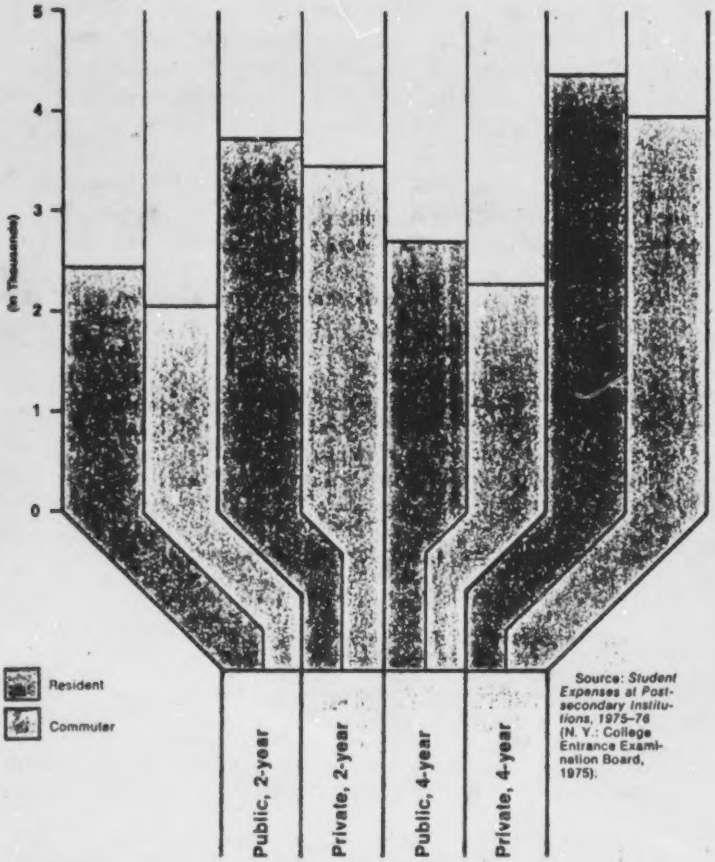
He is likely to be a first-year student at a relatively low-cost, 2-year or community college, or at a college or university with open enrollment policies. He commutes to class in an Eastern metropolitan area or in Chicago. He is receiving financial aid, probably from a variety of sources. He is majoring in the social sciences, perhaps education, Spanish, or social work, rather than the physical sciences. He is severely handicapped by earlier educational deficiencies, particularly in communication skills.

The following profile of Puerto Rican college students was offered in 1970:

> This new population in higher education comes to the university with some very special problems and concerns. They are all concerned with the fact that they are the survivors...of an educational system which has succeeded in eliminating 50 percent of their group before they completed school. They are all concerned about the extent of racism in our society.
>
> In a group with a varied racial background, sometimes white, black or, more commonly, some shade in between, they struggle with racial identity and its consequences. They are also concerned with the future status of Puerto Rico and the questions of the time—whether "Puerto Rico is a slave colony of the United States," or "A Showcase for Democracy."
>
> They enter college in a period of general disaffection with the university, its purpose and role in our society. They make increasing

Table 38

Average Total Expenses for Resident and Commuter Students at Postsecondary Institutions 1975-76



Source: *Student Expenses at Postsecondary Institutions, 1975–76* (N. Y.: College Entrance Examination Board, 1975).

> demands for courses and programs in the field of Puerto Rican studies and at the same time are anxious that their education pay off in a job which will break the bonds of poverty.[101]

The Puerto Rican student is unlikely to complete his or her education in the normal 2- or 4-year period, but will drop out for a semester or more and return later. Even over the long run, the student has less than a 50 – 50 chance of graduating. If a Puerto Rican manages to survive the high dropout rate in high school, he or she then must face the steep cost of college and the difficulty of securing financial aid.[102]

Not all Puerto Rican students have access to the open enrollment City University of New York system. Even at CUNY, the cost of fees and related expenses has risen dramatically. Going to a private college is prohibitive for the majority of Puerto Rican students. (Average yearly costs for various types of colleges are shown in Table 38.)

Given the impoverished circumstances of the mainland Puerto Rican community, college costs can be met by very few Puerto Rican families, since median family income for mainland Puerto Ricans in 1974 was only $6,779. Tuition alone at Ivy League schools, which averages than $3,800 per year, is more than half the annual income of most Puerto Rican families. For the 1975 – 76 school year, fees are $387.50 per semester at Hostos Community College (part of New York's CUNY system), $11 per credit hour at Loop Community College (part of the City College of Chicago), $21 per credit hour at Essex County Community College in Newark, and $242 per semester at Philadelphia Community College. But not all needy students have access to such low-cost institutions.

Shortage of Colleges in the Cities: A shortage of colleges in large cities reduces the opportunities for Puerto Ricans and other low-income students, who can only afford to attend if they live at home.

In 1970 the Carnegie Commission found:

> ...a major deficit in two types of institutions— community colleges and comprehensive colleges in metropolitan areas, especially those with a population over 500,000. The inner cities, in particular, are not well served. Higher education has not adequately reflected the urbanization of America. Deficits in North Jersey and the eastern side of Chicago are illustrative.[103]

Puerto Rican populations are largest in the Northeastern States and in the Chicago area, both of which were net exporters of college students in 1970. The Carnegie Commission called for 175 to 235 new community colleges in the United States by 1980, 80 to 125 of them to be located in metropolitan areas.[104] It also called for 85 to 105 new comprehensive colleges by 1980, with 60 to 70 of them in large metropolitan areas.

Another study found that nearly three-fifths of the nation's total population does not live near (within 45 minutes drive, one-way) a "free access" college, and that metropolitan residents are only somewhat better served by such colleges than those living in rural areas.[105]

All of these factors have shaped Puerto Rican perceptions about educational opportunities beyond high school. They have combined to reinforce each other, from one generation to the next, so that to the Puerto Rican junior or senior in high school, college is likely to be an alien or remote institution.

Despite this prevailing noncollege orientation, however, many low-income Puerto Rican parents will "sacrifice tremendously" to obtain for their children the highest possible degree of education. They have learned that social and economic mobility depends heavily upon academic credentials. The Puerto Rican student who graduates from high school tends to be very "hardy" and "fiercely determined to enter the mainstream of American society."[106]

Financial Barriers: While financial aid for college students is more plentiful than it was 10 years ago, Puerto Rican applicants and their parents still must shoulder a heavy share of the cost. In Illinois, for example, after Federal and State financial sources have been used, the remaining unmet need for students of Spanish origin averages $1,097, a very high percentage of family income.[107] In New Jersey, the comparable figure is $337.[108]

Several sources complain that student aid funds allocated to colleges have remained the same, or have been cut, despite enrollment increases. Only about one-third of the 55,000 students who need Federal aid at CUNY are expected to receive it in fiscal year 1976.[109]

The "red tape" involved in getting or renewing aid is often a greater problem than the availability of aid. At Hostos Community College in the Bronx, New York, staff said that "No one knows" when aid might be stopped or cut back, and, partly because some aid programs are so new, "You can't get any straight information on them."[110]

Lack of Information: Since so few mainland Puerto Ricans have attended college, important information concerning applications, forms, required statements, curricula, special programs, financial aid, and so forth may not be available from relatives or friends.

College counseling staffs are usually limited, and few have Puerto Rican or other Hispanic counselors. The City College of New York (CCNY) has only one Puerto Rican or Spanish-speaking counselor and one Puerto Rican financial aid counselor for about 1,350 Puerto Rican students.[111] Puerto Rican students frequently complain of the lack of counseling aid, both in high school and in college. It is felt, for example, that more

Hispanic counselors are needed at CUNY to reinforce the "self-image" of Puerto Rican students there. Some Puerto Ricans feel that non-Hispanic counselors tend to be more rigid and "go by the book," when more sympathetic and imaginative advice is needed.[112]

A faculty member at the University of Illinois Chicago Circle campus charges that counseling there is "poisonous." He asserts that counseling helped Puerto Ricans to survive "by teaching them tricks, pacifying them, and showing them easy courses." That is one reason, he said, why nearly three-fourths of Puerto Ricans drop out of college, leaving only a miniscule number of graduates.[113]

Puerto Ricans also lack adequate counseling with reference to graduate school opportunities. Furthermore, many counselors are unable to appreciate the "overwhelming" health and financial crises and "intense" emotional problems that face many Puerto Rican students.[114] One observer stated that counseling for Puerto Ricans in college was superior to that which they received in high school: In high school they were told not to attend college.[115]

Admission Standards and Examinations: Largely because of the poor quality of education received in city schools and the failure of educational system to meet their needs, Puerto Ricans frequently graduate from high school with low grade point averages. They also tend to score lower on college entrance examinations, such as the Scholastic Aptitude Test (SAT).

In 1965 the estimated median achievement test score (nonverbal, reading, math, and general information) for 12th grade Puerto Rican students was 43.1 compared with 52 for white students.[116] An official at the Educational Testing Service(ETS) which designs most college entrance tests, feels that the lack of college experience among most minority group families probably explains their lower SAT scores.[117] Thus, the "B" grade average or high SAT scores required by many colleges are beyond the reach of the typical Puerto Rican high school graduate.

At Essex County Community College in Newark, New Jersey, an estimated 85 percent of the Puerto Rican students require ESL (English as a Second Language) training.[118]

At Northeastern Illinois University, 90 percent of all Hispanic students (including Puerto Ricans) need language assistance, according to a counselor. "Most of the Latin American students here are products of the Chicago school system. Their difficulties are not always one of language, but of inadequate preparation and indifferent educational techniques," he said.[119]

A New York educator said that many Puerto Ricans (as well as other students) continue to graduate from high school ill-equipped for college work.[120] Since Puerto Rican students often are not encouraged to follow a college preparatory program, they may not be as adept at preparing for tests or writing term papers as their white counterparts. A college may have to teach them not only subject matter, but also how to write a term paper.[121]

Tutoring and Remedial Services: Few tutors are available to assist Puerto Rican students who have difficulty with college-level work. A teacher at Essex County Community College in Newark, commenting upon teacher overload, noted that he teaches seven courses and so has no time for counseling or tutoring. Many Puerto Ricans "still cannot function" after 2 years because programs of assistance at the college are so limited and ineffective, he said.[122]

Many of the remedial courses designed to upgrade essential skills reportedly fail to achieve their purpose. At Temple University, Puerto Ricans "were thrown into a remedial English course along with other non-English-speaking minority students," and few profited, according to one observer. "They needed a Spanish-speaking teacher."[123]

Speaking of support services at the college level, a Rutgers official said that, "Kids are brought in like cattle" and then "dumped." Students tend to drift and have to counsel each other.[124]

Student Alienation: Largely because of inadequate support services, low-income students often feel like "intruders" in a traditionally white, middle-class environment.[125] Having managed to ride into college on "the coattails" of black students, Puerto Rican students are often "an anonymous entity" in affirmative action programs.[126] Receiving little attention from college staff, sometimes living away from home for the first time, noting the absence of Puerto Rican administrators, faculty, and even clerical staff, many are often "lost in the shuffle." Finding the college atmosphere "cold" and "rigid," the temptation to drop out looms large.[127]

For these reasons, Puerto Rican students at most colleges and universities have formed student unions. Unlike the traditional student union, which is primarily involved in planning dances and social events, Puerto Rican groups often perform administrative functions such as student recruiting and tend to devote themselves to key issues concerning their education. These issues include: demands for more Puerto Rican administrators, faculty, and admissions and recruitment staff; increased or continued funding for support programs for Puerto Ricans; support for or creation of Puerto Rican studies programs or departments; greater recruitment efforts aimed at Puerto Rican students in the surrounding community; the alleged channeling of Puerto Rican students into certain curricula and departments; and the steady rise in tuition costs.

Many Puerto Rican students and faculty members perceive themselves on the defensive, as objects of discrimination, fearing that the broadened access to higher education in recent years is now narrowing, and that minority programs face extinction. These views have provoked demonstrations by Puerto Rican students at City College in New York,[128] Yale,[129] the University of Illinois Chicago Circle Campus,[130] and Macalester College in Minnesota.[131] Tension and unrest over feared cutbacks in minority programs and staffs exist at other schools, such as Temple, Lehman College in New York City, and Rutgers' Livingston College.[132]

Many Puerto Rican students assume that, unless they relentlessly press college administrators, they will be neglected. A common sentiment is that the administration "distrusts the legitimacy of Puerto Rican needs and will only respond to pressure."[133] Whatever small gains have been achieved are done by the students themselves with Puerto Rican staff support. Thus, a decision to dismiss an English teacher considered especially effective in developing the writing skills of Latino students at Northeastern Illinois University was rescinded after Latino protests.[134] Macalester College announced it would not terminate its Puerto Rican program after Puerto Rican and other minority students seized an administration building to protest budget cuts in the school's minority program.[135]

The perspective from which some Puerto Rican students view college administrators and policies is shaped, at least in part, by what one faculty member termed an "anti-colonial" attitude and a strong need among many Puerto Rican youth to maintain their cultural and linguistic identity.[136] They are bitter that their language is considered detrimental and a "handicap" in college; they resist what they perceive to be the destruction of their individuality in what they see as the "melting pot" approach to higher education. They want desperately to develop skills that will enable them to live useful, rewarding lives, but they want to do so without having their values and heritage ridiculed or denied.

GOVERNMENT'S ROLE IN EDUCATION OF PUERTO RICAN UNIVERSITY STUDENTS

Federal expenditures for university student aid rose from $941 million in 1966 to an estimated $5 billion in 1972. About $3.9 billion of this amount was used to pay tuition and fees, with the remainder applied to cover living costs.[137]

The Education Amendments of 1972 extended many of the existing Federal aid programs. The amendments added a new program of basic student grants for every high school graduate who wants to continue his or her education but lacks the resources to do so, and encouraged establishment of new planning structures at the State level to improve all forms of planning for postsecondary education.[138]

Federal financial aid for college students consists of grants, loans, and work-study funds. Most of the grant and scholarship aid given up to 1973 was provided by the Veterans Administration (VA) and the Social Security Administration (SSA).

The largest Federal student aid program was the G.I. Bill, which allows up to 36 months of full-time schooling or on-the-job training for eligible veterans and military personnel. Expenditures for the program by the VA were nearly $1.8 billion in fiscal year 1972. In the same fiscal year, the Social Security Administration provided $475.3 million in benefits to 432,863 students who were children of retired, disabled, or deceased social security beneficiaries.[139]

The principal student grant program administered by the U.S. Office of Education in fiscal year 1972 was the Education Opportunity Grant (EOG) program. Federal funds of up to $1,000 were granted to college students with "exceptional financial need." Colleges administer the program, which has varying definitions of need. The college must match each grant with other Federal or non-Federal aid. EOG grants of $210.3 million were obligated in fiscal year 1972 to participating institutions.[140]

The Basic Education Opportunity Grant (BEOG) program, created in 1972, allows low-income students even greater access to higher education. Administered by the Office of Education, BOG provides direct grants that help qualified undergraduates finance their postsecondary education.

BEOG differs from EOG in that it is an entitlement program with a standard definition of need. Both full- and part-time students are eligible for up to 5 years of study.

In fiscal year 1975, BEOG provided a maximum of $1,050 each to about 700,000 first- and second-year students.[141] When fully funded, it is to provide annual grants of up to $1,400 (minus expected family contribution) but not more than one-half the total cost of college attendance. The Carnegie Commission has estimated that 500,000 to 1 million additional students "might be induced to attend college if BOG were fully funded."[142]

The two principal Federal loan programs are the National Direct Student Loan program (NDSL, formerly the National Defense Student Loan Program) and the Guaranteed Student Loan program, authorized by the Higher Education Act of 1965.

State Aid: In fiscal year 1973, the 50 States spent an estimated $348 million for undergraduate student aid in the form of scholarships and grants, plus a substantial sum for guaranteed and direct loans, tuition waivers and reductions, and various restricted grants to special categories of students.[143] Despite recent increases in such aid, State spending for these programs accounts for no more than 4 or 5 percent of total measurable State and local support for postsecondary education.[144] Six States—California, Illinois, New Jersey, New York, Ohio, and Pennsylvania—account for 78 percent of the total student-aid financing and 67 percent of the student recipients. Most State programs cover only tuition, or tuition and mandatory fees, but a few now provide aid primarily for disadvantaged students from low-income families and/or with marginal records of achievement.

One such program is the Educational Opportunity Fund (EOF), which aided 13,000 students (including 1,050 Puerto Ricans) at public and independent institutions in New Jersey and other States in fiscal year 1974.[145]

Under EOF in New Jersey, State funds go directly to students via grants and to institutions to maintain supportive services (tutoring, developmental courses, counseling, diagnostic testing, and full-time summer programs). Three-fourths of EOF students are from families earning less than $6,000 per year.[146] The average family income of the EOF student is $4,464, compared to $11,082 for the average New Jersey family. The average EOF grant is $817. This covers half the cost of attending a community college, and less than a third of the cost of attending a State college or Rutgers University.

Lack of data on Puerto Rican participation in both Federal and State student aid programs prevents efforts to ensure that they are in fact receiving their fair share. Some Puerto Rican educators believe that a disproportionately large share of that aid goes to Mexican American students west of the Mississippi River.[147]

Many Puerto Ricans believe that much student aid is not based on financial need. This has been confirmed in at least one study by the College Entrance Examination Board:

> A cherished myth of educators and the general public is that student financial aid today is primarily based on relative need. However, when the source and application of all aid funds (including the G.I. Bill, Social Security, athletic grants, and scholarships from restricted funds) are considered, the greater amount of student aid appears to be beyond institutional control and is commonly awarded on the basis of criteria other than need....[148]

Similarly, the Carnegie Commission pointed out that:

> Because many students from upper-income families attend institutions with tuition charges that are far below costs (true in the case of many private colleges and universities, as well as public institutions), these educational subsidies are not distributed as effectively as might be the case if minimizing the financial barrier to attendance were the primary goal. For example, of the total monetary outlays on higher education, students and their families on the average contribute about 37 percent of the total ($8.1 billion out of $22 billion in 1970 – 71).[149]

Special Admissions and Support Programs: A number of new policies and programs that focus on the needs of low-income, disadvantaged students have been established in recent years. These have permitted access to college for a significant number of Puerto Rican students.

The introduction of open admissions at the City University of New York in 1970 played a major role in increasing Puerto Rican college attendance in the system. Under this policy, admission to a college within the CUNY system was guaranteed to all New York City high school graduates. Puerto Rican undergraduate enrollment at CUNY increased from 5,425 (4 percent of total enrollment) in 1969 to 15,707 (7.5 percent) in 1973.

Other schools have also instituted open admission programs. The Temple Opportunity Program (TOP) at Temple University, *Proyecto Pa'lante* at Northeastern Illinois University, and the Equal Education Opportunity (EEO) program at Macalester College, among others, offer (to a limited number of Puerto Rican and other low-income, minority students) admission based only on indications of potential and motivation. These programs provide counseling and academic tutoring services, and help students put together financial aid packages.

One of the oldest special programs for low-income students is the College Discovery Program (CDP), created at CUNY in 1964. Its purpose was to:

> demonstrate that students who were then being excluded from college because of the existing admissions criteria could, with the proper supportive services, attain a college degree. From the beginning, it was understood that students fail not only because they are underprepared but also because they are economically disadvantaged. For this reason, stipends for books, fees and personal expenses were made available to the student as was intensive counseling, remediation and tutoring.[150]

Since 1964 CDP has expanded its enrollment from 231 students at two community colleges to well over 4,000 students in eight programs at seven community colleges. Thirty percent of CDP enrollment is Puerto Rican.[151]

Special Services for Disadvantaged Students (SSDS)[152], a Federal program created in 1965, offers remedial and other supportive services to disadvantaged students with academic potential who need such services to commence or continue higher education. Grants are made on the basis of proposals submitted by eligible applicants on a competitive basis. In 1973 – 74, Puerto Ricans numbered 3,945 of participants in SSDS. This was 5.3 percent of all participants, compared to 5 percent of participants in 1972 – 73 and 4 percent in 1971 – 72."[153]

Open admissions and special academic support programs for low-income minority students are so new that it is difficult to evaluate their effectiveness. A study at CUNY, however, found that the university has not become the "revolving door" which some had expected with the advent of open admissions, and that attrition rates under open admissions were, overall, about the same as the national average.[154]

EOF students in New Jersey "continually perform at a respectable level of achievement, and although they come to college with lower SAT scores than their regularly admitted counterparts, they quickly close the gap."[155]

As the result of help provided by *Proyecto Pa'lante* at Northeastern Illinois University, the *Proyecto* director expects as many as 60 percent of Latino students to graduate.[156]

Thank you, Mr. Chairman.

Mr. FORD. Without objection, I would ask that the statement of Dr. Molina be inserted in full at this point in the record.

[The prepared statement of Dr. Molina follows:]

(d) competing and equally viable interpretations of some of the data could be offered; and (e) coverage and reporting of outcomes was incomplete. Third, the reported high percentage of maintenance programs was based on questionable and unverified operations. Recommendations for addressing these issues in the final report were offered. As a final recommendation, Abstracts or Executive Summaries of the final report should contain appropriate caveats to readers regarding the confidence that can be placed in the interpretation of the results.

A satisfactory final report should emerge from addressing the issues identified and pursuing the recommendations indicated.

cc: Carl Wisler, OPBE
Kathy Truex, ASPE

STATEMENT OF DR. JOHN C. MOLINA, DIRECTOR, OFFICE OF BILINGUAL EDUCATION, U.S. OFFICE OF EDUCATION

Mr. **Ford**. Dr. Molina, we would appreciate it if you would expand upon your statement. I would personally like to ask you, at the outset, if you could address bilingual education in a little broader way than your prepared statement which seems to concentrate entirely on Title VII. This would tend, along with other things which have been published, to indicate that Title VII is the only place we have bilingual education; an impression I would hope we could dispel as soon as possible.

Dr. **Molina**. Thank you, Mr. Chairman.

We have a number of programs within the Office of Education which fund programs for children of limited English-speaking ability: The Vocational Education Act, Part J; the Adult Continuing Education Program; the Emergency School Aid Act; the Library and Construction Act; the Right to Read Program; and a few others.

But the question is Mr. Chairman, whether or not they are actually establishing bilingual programs as defined by Title VII, as amended by P.L. 93-380. The office I direct administers six programs. The basic program is the largest funded program within our operation. We are currently funding over 425 local educational agencies serving 68 languages. In addition 100 institutions of higher education are offering teacher training programs to an estimated 25,000 classroom teachers and teacher aides.

The Congress made clear they wanted to develop college professors. As a result of this mandate, we have 42 institutions training persons in higher education. We have over 700 fellows presently enrolled in these 42 colleges and universities throughout the country.

In addition to that, we have a state technical assistance program in which we are now funding 31 state education agencies. We currently have 43 states and territories which have applied and will be funded this coming year.

As a result of the studies which indicated a great need for materials in languages other than English, we have established a national network of centers. We are developing materials in 14 languages, from kindergarten through grade twelve, primarily in math and reading.

We have also established resource centers which assist individual classroom teachers to improve their classroom methods and their ability to deal with children of limited English-speaking ability.

Numerous studies conducted within the Office of Education have indicated a lack of research in the field. As a result of this, we are hoping, in cooperation with the National Institute of Education, to establish a national clearinghouse on bilingual education as mandated by Part C of Public Law 93-380. Many times we have been accused of not adequately administering this program. We have identified four models and plan to implement these four models in 16 school districts throughout the nation by September. We will conduct a longitudinal study within the Office of Education to determine whether they can be transported to other school districts.

Bilingual education, by definition in the law, is instruction in two languages. The philosophy is that you would take children from the known to the unknown.

If children come to school not knowing English, you teach them academic studies in their native language as they are learing English. As their knowledge of English increases, their skills and proficiency will, ultimately, increase.

I believe the Office of Education should continue in the capacity building strategy. We are in dire need for more and better materials in all languages and better trained teachers and para-professionals. We are spending 29 million in teacher development.

Thank you, Mr. Chairman.

Mr. FORD. Thank you.

About a year ago, GAO released a report to the Congress on bilingual education (See Appendix 6), "Bilingual Education, An Unmet Need." At the very beginning GAO suggests the Office of Education has progressed little toward identifying effective ways of providing bilingual education instruction training, bilingual education teachers and developing suitable teaching material.

What was the response of the Office of Education to these criticisms of a year ago?

Dr. MOLINA. First of all, we let a contract out with the American Institutes of Research and that report will be expounded upon by the next panel (See Appendix 3).

In addition to that, we have identified 18 projects throughout the country that show academic achievements and gains. These projects are serving four different languages, French, Spanish, Navajo and Keresan.

In terms of the teacher training, the report was accurate. We are now currently developing teacher training programs.

Mr. FORD. Presumably from the beginning of the program, many of us who supported this legislation expected we were embarking on something new which would be tried in a number of different places across the country; and that we would find that some people would have more success than others in reaching what Congress thought was the goal of the program.

Unfortunately, the people who have been looking at the program have given us generalizations which don't make distinctions between areas where the program is working and areas where it is not.

Do you have anything to say about that? For example, in developing suitable teaching materials, your office didn't sit down and try to develop some uniform method of amassing materials and a shopping list. You relied on the people workng with the program to come up with the necessary tools. The examples I have seen in some parts of the country, such as Colorado, have been most remarkable.

Can you think, off-hand, of some places we should look at for techniques which are working toward the Congressional intent of the legislation?

Dr. Molina. I think one of the problems we have had is there has always been an attempt to evaluate bilingual education on a national basis. When it first started in '69, there were inadequate instruments to measure students. However, when you look at individual projects, as I mentioned before, we can identify 18 projects throughout the country which have pre and post tested and have treatment and control groups. We have found that in reading and mathematics, children in bilingual education classes are doing better than those not in those classes.

A case in point is in the State of Louisiana. They found in reading and mathematics, bilingual education youngsters were doing better than the district norms in that state. This is extremely encouraging on a national basis.

We have developed the national network so materials will be developed closer to home, so to speak.

We have 14 centers throughout the country, extending from New York to Texas to California, as well as in the midwest. Most of them are in Spanish, but also, in about four Asian, and native American languages and other European language.

Mr. Ford. At the time of the GAO report, a map was published showing the distribution of the Title VII funds by states. Recognizing what you have said about the overwhelming majority of bilingual programs being for Spanish speaking, the bulk of the money was going to California, Arizona, Texas—and then when we look at the east coast and the demography of the Spanish-speaking population, we recognize a substantial amount of money going to New York, New Jersey, and some into Massachusetts and then nothing until we get as far south as Florida.

For several years, our work with the migrant program has shown us there is a growing need for bilingual education up and down the entire eastern seaboard where it hadn't existed ten years ago. Anyone examining the migrant worker phenomenon would recognize that Spanish-speaking people have been moving into the eastern seaboard area for several years. Their children are finding their way into schools which have never heard the Spanish language before. We have actually encountered people who say in some of the southern states they have difficulty finding bilingual personnel to even start a program.

What is being done to satisfy this growing need where there is no indigenous Spanish language heritage at all?

Dr. Molina. We have conducted various workshops throughout the eastern seaboard from Maine to Florida, to interest school superintendents and leaders of education to apply for funds under the Bilingual Education Act. We can provide technical assistance but the district has to apply for funds. We are aware of the growing number of particularly Hispanics in the south and the eastern seaboard. As a result of that, we have for the first time funded some districts in the south.

I would like to remind the committee that the GAO report, which was released a year ago is somewhat out of date since the data was collected in '73 and '74. The fact is the largest funded state remains to be California with $18 million. The second largest is New York State, with $13.5 million and the third is Texas, with $11 million. So the money is being distributed now in a more equitable basis throughout the country, certainly concentrating on the areas with the greatest need.

Mr. Ford. In reference to the migrant workers, I have had an opportunity—as have other members of this committee—to visit a number of places around the country. After talking with people working in the program, it was my impression that the motivation of the people was very strongly in favor of integrating the non-English speaking children into the English speaking environment of the public school as quickly as possible.

What I have seen of the migrant portion of the program has led me to believe there is a strong motivation by not only the people developing the program, but the families involved, who recognize perhaps a very urgent need to acquire an English-speaking ability.

That is why I am a little more than distressed when I see the evaluations now indicating this is not the case with a substantial part of the programs going into a more stable population. In 1976, in my own State of Michigan, an identification was made of students who were, in fact, receiving bilingual education were Spanish, 10,323; Arabic, 1,320; Finnish, 257; Chippewa Indian, 58; Vietnamese, 248; and then some Albanian and French, Greek, Hindu, Polish, Portuguese, Russian, Yugoslav, Croatian and others, which are not being reached by any program. The survey in 1974 made in the State of Michigan, indicated over 35,000 students experiencing learning difficulties because English was not the principal language in the home.

In the County of Wayne, which includes the City of Detroit and 35 other districts, they have math tests written simultaneously by a computer in 17 languages. It can even be transmitted by telephone and be printed in Hebrew with Hebrewic figures.

Someone is doing this in response to a need, but it leaves us wondering how much impact the federal program is having. It looks as though we are being surpassed by the use of other resources. Perhaps at a later time you can respond to some of the criticisms which have been made.

I am sure you are aware of Mr. Noel Epstein's article in June 5 edition of the *Washington Post*, that spoiled my Sunday afternoon and I think may have upset a lot of the friends here of this program (See Appendix 8-a). Then, last night when I read the testimony for today, I lost part of my night's sleep.

I hope you will take note of what is being put in the record today and what was said in the newspaper article and give us some kind of response. We don't necessarily need your response today. We understand your testimony was prepared in advance, and it is not my intention to set up an atmosphere of antagonism with the persons administering the program, but in the softest terms I can muster I want you to understand we are upset and we need to be reassured.

The gentleman from California.

Mr. **Miller**. Am I correct, by the remarks of the chairman, you are not prepared, Dr. Molina, to respond to the study evaluation of impact of the ESEA Title VII Spanish-English bilingual education program?

Dr. **Molina**. Mr. Michael O'Malley, who is on the next panel, will address himself to that study.

Mr. **Miller**. From the chairman's remarks, I did not know if you were prepared to or if you would like to respond later.

Mr. **Ford**. I was not trying to foreclose it.

Mr. **Miller**. It raises some serious questions and I guess one of the questions that Mr. Mottl wanted me to ask, since he had to leave, one of the findings of the study is that less than one-third of the students in grades 2 through 6 were of limited English-speaking ability.

To a lay person it means we have young people in those classrooms who don't belong there. Is that your impression?

Dr. **Molina**. The study required the teacher to classify her youngsters into four categories. It is questionable practice to ask a classroom teacher to judge the proficiency of youngsters, particularly when the study shows only 50 percent of the teachers were bilingual.

It mentions in the study that approximately 80 percent of the teachers speak two languages in the house, but it never described whether it was one word or, indeed, bilingual. We have to wait for the final report to reach any conclusions on that issue.

Let us assume that is true. Another question is: Are these youngsters then receiving Federal funds or not? I would have great concern if there were 80 percent English-dominant-speaking students in a classroom and receiving funds. I am currently looking at this. But the statute says there may be a limited degree of English-dominant youngsters in a classroom. However, I think the intent of the Congress was to focus on the limited, not the English-dominant students.

But I think there are some questions to be answered and I would prefer to wait until the November report.

Mr. **Miller**. Let us hear your concerns of the teacher to classify the students, who is supposed to classify the students?

Dr. **Molina**. School districts.

Mr. **Miller**. Wait a minute –

Dr. **Molina**. School personnel, not necessarily classroom personnel. Psychologists, psychometricians, should help place those youngsters in bilingual classrooms. We are recommending those youngsters be tested with an instrument of some sort. Our records do not show an 80-percent English-dominant population, there is a discrepancy between what is stated in the report and what superintendents report to be true in an application. We are looking into that matter at the present time.

Mr. MILLER. You also take issue that although the intent of the ESEA Title VII legislation is for projects to focus upon students of limited English-speaking ability, approximately 85 percent of the project directors indicated that Spanish-dominant students remain in the bilingual project once they are able to function in school in English. Only five percent of the project directors indicated that a student transferred to an English-only classroom once the student learns English well enough to function in school.

Dr. MOLINA. I would question that finding. There was not enough description in the interim report to reach a conclusion. If the youngsters are remaining in the classroom until the end of the year, this would be a typical thing for school districts to do. They don't transfer in the middle of a school term.

Mr. MILLER. Why not? If a student learns to read at a higher level they move him into a higher level.

Dr. MOLINA. Not necessarily. The assumption is that they would continue to learn in Spanish. It is conceivable as youngsters learn English, they progress effectively—

Mr. MILLER. It is a question of how you view the function of the program, it is not an administrative program.

Dr. MOLINA. One is the function itself as to what changes occur when students increase their proficiency. Children move at the end of school terms, not in the middle of school terms.

Mr. FORD. Will the gentleman yield?

Mr. MILLER. Sure.

Mr. FORD. I think the bothersome statement—the brief for the defense—is better than an estimate written by NIE, which ignores the question, if not 85 percent as indicated by the study. The study utilizes interviews with the teachers and directors, and determine 85 percent are indicating this phenomenon, not that 85 percent of the children are in that category. If the total is not 85 percent, what percent and what kind of question does this raise for you if the people administering the program and actually in the field believe what they are conducting is cultural maintenance rather than a cultural tradition?

How could 85 percent of the people believe that is what they were doing? Maybe 85 is 10, 20 or 30 percent high, but why should it even be 5? It is not children who believe this but the people running the program believe that is happening.

What is your reaction to that?

Dr. MOLINA. Mr. Chairman, there may be many variables as to why children are either kept in certain classrooms or changed when the need exists. It may not relate to language. This interim report doesn't explain why children remain in classes after gaining proficiency in English. I am more concerned as to children being left out of classrooms. If some non-English-speaking children are being deprived because others are being included who are not in need, then I have great concern and I hope the staff will be visiting projects and coming up with recommendations for change, when necessary.

Mr. FORD. Are your regulations silent or do they address themselves with some kind of direction as to what the goal should be as to when a child is ready to move out of the bilingual setting into the mono-English-speaking mainstream?

How are they supposed to know when the magic moment occurs?

Dr. **Molina**. We don't know when a child should be moved out of a bilingual education program. As a matter of fact, we don't know at what level of proficiency a child should be to function well. That is why I have asked for additional money in the appropriation of '78 to study this. Our regulations are silent on this matter. That is another problem with that report. When a child becomes English-dominant, it doesn't necessarily mean a child is dominant in the English language. There is a difference between dominance and proficiency, the proof is the ability to conceptualize and speak in English. Dominance means does he speak English more or some other language. Those are questions to be answered but we have no particular answer to your question, Mr. Chairman.

Mr. **Miller**. Let us go back to the question of movement of the children from bilingual to nonlingual programs. The finding is that they are able to function in school in English. You would quarrel with the classroom teacher making that determination.

Dr. **Molina**. I don't quarrel with the classroom teacher making that determination but I quarrel with the teacher making it off the cuff.

Mr. **Miller**. That is not what they are there for. They are there to interface with the children and watching as to whether the children are progressing or not.

Dr. **Molina**. It should not be the subjective judgment of teachers or anybody else.

Mr. **Miller**. But they are not used to indicate.

Dr. **Molina**. No.

Mr. **Miller**. We don't know whether the classroom teacher's judgment would be correct or not as the instrument?

Dr. **Molina**. It is a difficult decision to make and it is a difficult question to answer, as well.

Mr. **Miller**. What happens when a student is transferred from a bilingual class to a monolingual class, as to funds?

Dr. **Molina**. The intent of Congress is once a child begins to learn academic studies in the English language then that child is no longer qualified for Title VII funds.

Mr. **Miller**. So if you took a child who was able to function in midterm, you would lose funds for the balance of that term?

Dr. **Molina**. We fund on the basis of X number of children. We ask school districts for the total number of children they are planning to serve.

Mr. **Miller**. So they make their decision prior to the term. But if in the following term the student is transferred to a mono-speaking class the funds are removed and the student falls on the burden of whatever funds are available on the district level?

Dr. **Molina**. That is correct.

Mr. **Miller**. Would that tell you something as to why students are not transferred?

Dr. **Molina**. No.

Mr. **Miller**. Would it give you a hint?

Dr. **Molina**. No. I would be surprised if the school district didn't have other students they could move into bilingual classes.

Mr. **Miller**. How do you determine a need?

Dr. **Molina**. We request school districts to assess who is in need.

Mr. **Miller**. They don't need to assess those not in need?

Dr. **Molina**. We don't need to assess those not in need.

Mr. **Miller**. I am trying to figure out how a student gets out of the program. They can't make the assessment to move the child out of the program, but they can make the assessment to move him in?

Dr. **Molina**. We are requiring instrumentation to get into the program this coming school year. It has to be based on more than just subjective judgment.

It is interesting that we get different data from different sources. It depends on who we ask.

Mr. **Miller**. That is my concern. This committee was very concerned with the mislabling of children, whether bilingual, emotionally handicapped, whatever you have. Because of the crying need for funds you create constituencies to get Federal funds. In your term we are only taking care of seven percent of those in need. My district is a big user of this program but my concern is——I will certainly accept your hesitance to fully comment until a final report is in, I think that is quite proper because I don't think we should quickly hand down indictments around here but some serious questions have been raised and I have been concerned for a number of years as to creating questionable constituencies just for the purpose of receiving Federal moneys. You do damage to the child by typing a child as bilingual.

You indicate you have identified 18 programs which you are looking toward as to replication in the rest of the country. What kind of programs are you talking about?

Dr. **Molina**. We have identified four exemplary models that we are going to install in 18 school districts.

In addition to that, we have identified in the State of Louisiana—well, the rest of the country, 18 exemplary programs which have statistics that show children in bilingual classes do better than those not in those classes.

Mr. **Miller**. Are you talking about a program which affects a hundred students in one district?

Dr. **Molina**. If you are referring to my comment about Louisiana——

Mr. **Miller**. I am concerned that you are talking about replicating the State of California's bilingual program or Pittsburgh Unified School Districts.

Dr. **Molina**. There are many models depending on the language ability of the children entering the classroom. We are trying to create methodology that will be effective. We have 18 programs which show that children are doing better than those not in the program.

Mr. **Miller**. So you only have 18 programs which have statistics which say these may be justifiable in terms of replication to be funded in fiscal '78 and for three years we are going to monitor those to see how they go.

Dr. **Molina**. No. We are talking about two different things. We have four models. We will be monitoring those four models in 16 school districts to see if they actually, in fact, bring about change in other districts in other than those in which they were established.

Apart from that, there were another 18 identified as exemplary. These are on going programs that have data to show their effectiveness.

Mr. **Miller**. So ten years in the program we will have information as to whether these four models work?

Dr. **Molina**. Incidentally, those 18 programs vary in size from rural areas to large cities.

Mr. **Ford**. The chair recognizes the gentleman from Puerto Rico.

Mr. **Corrada**. On May 20, the National Assessment of Educational Progress released a study on learning achievements of Hispanics showing they trailed in a cross-section of academic subjects. Not only did the study reflect this, but it reflected differences between Hispanics in the northeast U.S. and Hispanics in the west.

For instance, the study tends to show at ages 9 to 13 the Hispanic students from the northeast do better than Hispanic students from the west.

The greatest difference is between students nationwide at 17. The achievement of Hispanic students who have at least one parent with a high school education is higher in all levels than those whose parents haven't finished high school. At age 17 most are still in the 10th grade or below as compared with white students.

Also in that study are statistics as to the drop-out group. They indicate that 14 of those 14 to 18 years old were not enrolled in school and hadn't completed high school, 40 percent are dropouts compared with a 10-percent drop-out rate of the whole population.

I would like to ask you if there is something in the quality of the education and the educational system that we are providing to students in general and to Hispanics and other groups which relates to thesse underachievements of the Hispanics in general in the nation.

Dr. **Molina**. I think that study shows clearly, and I did have an opportunity to discuss the study with some of those people who were involved, that the Hispanic student was not being provided with any kind of special services and they are failing in the school system or, better put, the school system is failing the Hispanic student.

I sometimes wonder when bilingual education is criticized and those who discuss the possibility or even advocating the elimination of this program, I often wonder if this is the alternative those critics of education prefer.

It is clear in my mind if you push a non-English-speaking child into an English-speaking curriculum, that child will not progress in the educational system. Of course, there will always be a few who do progress and they will point with pride to these. But the majority who don't understand the English language will become frustrated and annoyed and will drop out as shown in that particular study.

There may be other alternatives but until this program is proven to be ineffective we ought to preserve the program and put more effort into getting the kind of answers to questions being asked in this hearing.

Mr. **Corrada**. Would you say on the basis of your experience in bilingual education there has been adequate funding for curriculum development?

Dr. **Molina**. No. I don't' believe we have sufficient funds. We have 68 languages in the program. It will take a great deal of money to develop curriculum. The development can be very, very costly. The Rand report proposes to fund a national network only for those languages in which there are large numbers of speakers.

Mr. **Corrada**. Do you believe sufficient resources have been devoted for a nation-wide teacher program in the bilingual program?

Dr. **Molina**. We have a lot of money in teacher training, $29.7 million is a considerable sum. The problem is that the statute requires that 15 percent of the amount of money we give the local education agency be used for training. School districts tend not to use these funds for degree oriented programs. They tend to be non-degree in-service training programs. The crying need is to have highly qualified bilingual education teachers who can go into classrooms and to be aware of the needs of children and be able to teach children academic subjects in two languages. So we have to refocus the amount of money we have. I believe $29.7 million is a handsome sum and we can do a great deal if it is redirected.

Mr. **Corrada**. With respect to research and evaluation methods for the bilingual education programs, how do you view the adequacy of the funds which have beeen available. Not just the funds, but also the evaluation measures which actually have been undertaken?

Dr. **Molina**. You actually can't evaluate a bilingual education program. It is philosophy and management. You can evaluate courses. For example, evaluation should be limited to reading, mathematics, science and social science. I think we need a tremendous amount of research in order to determine what are the best methods and if children learn in languages other than English.

We are hoping to establish a national clearinghouse for bilingual education which would be a central focal point to pool the research and disseminate the information to those who need it.

I am also proposing to Congress that we begin to look very seriously at the development of instruments to measure children in languages other than English. We should do a finance study to find the cost implementing the bilingual program in various states.

Fortunately, I think we should proceed with a type of study where you establish four or five models and study them for a long, long time.

We have to do some study in language acquisition. How do children learn languages? When is the best time to learn a language? The question the chairman asked before, when is the magic point.

Lastly, we have to develop instruments to see if, in fact, after youngsters have been in the program for five or six years. Whether they do, indeed, learn in their native language and English. These are the areas we should begin to focus.

Mr. **Corrada**. Dr. Molina, of course, I generally appreciate the value of bilingual education for those of other cultural ancestry within our nation. I believe the most critcal problem in the field of education would be found with respect to children of migrants. In other words, those who have arrived in this nation recently and

7

have to cope with the enormous difficulties of acquiring knowledge and utilization of a new language, English in their case, and, secondly, of course, coping with the need to socially adapt to the new environment. I wonder whether you have been focusing on these great language difficulties and so on?

Dr. MOLINA. I believe that we have made an effort to concentrate our funds in areas of greatest need. We are very aware of the cities in which immigrants arrive. One of the largest groups we are currently funding is the Russian speakers that are immigrating to New York City. Also, we have programs for the Asians in San Francisco and others. I think that we have been cognizant of that.

But I remind the committee that we have $115 million to serve approximately 3.5 million students that have been identified by the National Center For Educational Statistics as the upper limit of youngsters in need. When we fund a particular district we are unable to service all the kids that are in need in that one district. An example, we are nowhere meeting the needs of New York City, and yet we have $11 million currently in the City of New York. It is impossible to meet the needs of all the youngsters of this Nation.

Mr. CORRADA. Dr. Molina, do you have available, or if not could you make available to the subcommittee later during this hearing a list of all grants and contracts currently funded and the location of these grants?

Dr. MOLINA. Yes, sir, I do, Mr. Corrada. I will submit it for the committee. (Retained in Subcommittee files.)

Mr. CORRADA. And also the dominant language needs served by these Title VII grants.

And, third, I would like to know the location of the nine material development centers, and the three assessment/dissemination centers funded by fiscal year 1975 appropriations.

Dr. MOLINA. Fine.

[The information requested above follows:]

TITLE VII LANGUAGE TABLE - FY 1976

Language	Amount
Spanish	$ 58,248,073
Multi-Lingual[1]	23,406,705
Native American	5,762,220
Asian and Pacific	3,446,701
Other European	4,002,814
TOTAL[2]	$ 94,366,513

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[1] Many Title VII projects have multi-lingual components and target groups. These projects are all lumped into this category.

[2] Additional funds of $1,199,999 were awarded to SEA's, but these awards were for technical assistance not associated with any particular language.

11/11/76 (Revised 5/17/77)

ESEA TITLE VII SUMMARY FOR CENTERS FOR FISCAL YEAR 1976 BY PURPOSE, SERVICE AREA, NAME, LOCATION, DIRECTOR, PHONE NUMBER, LANGUAGE, GRANT AWARD NUMBER AND AMOUNT OF GRANT AWARD

KIND OF CENTER	NUMBER	AMOUNT AWARDED
DISSEMINATION/ASSESSMENT CENTERS	3	$1,575,000
MATERIALS DEVELOPMENT CENTERS	14	5,425,000
TRAINING RESOURCE CENTERS	15	5,000,000
U.S. TOTAL	32	$12,000,000

ESEA TITLE VII CENTERS FOR FISCAL YEAR 1976

DISSEMINATION/ASSESSMENT CENTERS

Purpose: Dissemination/Assessment Centers have been established to assess the appropriateness of bilingual materials developed and to assure broad dissemination of these materials.

Area	Name	Location	Director & Phone Number	Languages	Grant Award No. G00760:	Amount Awarded
1	Dissemination & Assessment Center	Lesley College & (Fall River Public Schools) 29 Everett Street Cambridge, Massachusetts 02138	John Correiro 617-492-0505	Spanish, French & Portuguese	4666	$625,000
3	Assessment & Dissemination Center	California State University Los Angeles 5151 State University Drive Los Angeles, California 90032	Charles Leyba 213-224-3631	Spanish & Pacific Asian Languages	5281	425,000
2	Dissemination & Assessment Center for Bilingual Education	Education Service Center-Region XIII Program Development Division 7703 N. Lamar Austin, Texas 78752	Joel Gomez 512- 458-9131	Spanish	4657	525,000

ESEA TITLE VII CENTERS FOR FISCAL YEAR 1976

MATERIALS DEVELOPMENT CENTERS

Purpose: Materials Development Centers have been established to develop instructional and testing materials as well as teacher training materials for bilingual education programs in local educational agencies and institutions of higher education.

Service Area	Name	Location	Director & Phone Number	Languages	Grant Award No. G00760:	Amount Awarded
6	Alaskan Native Language Material Development Center	University of Alaska Rural Education Affairs 2223 Spenard Road Anchorage, Alaska 99503	Tupou Pulu	Aluet, Gwich'in, Inupiaq, Siberian Yupik, Sugpiaq, Upper Kuskokwim, & Upper Tanana	5457	$300,000
7	Arizona Bilingual Materials Development Center	University of Arizona (Nogales Unified School District #1 and Tucson District #1) 1434 East 2nd Street Tucson, Arizona 85721	Elizabeth M. Antley 602-884-3724	Spanish	4654	450,000
7	Asian Bilingual Material Center	Kaufman and Broad Building, Suite 404 10801 National Boulevard Los Angeles, California, 90064	Dr. Mieko S. Han 213-474-7173	Chinese, Japanese & Korean	5462	175,000
7	Asian American Bilingual Center	Berkeley Unified School District 2168 Shattuck Berkeley, California 94704	Linda Wing 415-848-3199	Chinese Japanese, Korean, Filipino, & Samoan	4662	500,000

ESEA TITLE VII CENTERS FOR FISCAL YEAR 1976

MATERIALS DEVELOPMENT CENTERS - 2

Service Area	Name	Location	Director & Phone Number	Languages	Grant Award No. G00760:	Amount Awarded
7	Multilingual-Multicultural Materials Development Center	California State Polytechnic University-Pomona Office of Teacher Preparation 3801 West Temple Ave. Pomona, Cal. 91768	Roberto Ortiz 714-598-4984	Spanish	4653	$600,000
3	Spanish Curricula Development Center	7100 N.W. 17th Ave. Miami, Florida 33147 (Applicant-The School Board of Dade County 1410 N.E. 2nd Ave. Miami, Florida 33132)	Ms. Eneida Hartner 303-696-1484	Spanish	4658	620,000
4	Midwest Office for Materials Development	Board of Trustees University of Illinois College of Education Urbana, Illinois 61801	Henry Trueba 217-333-2615	French, Spanish & Vietnamese	5461	250,000
6	National Materials Development Center for French & Portuguese	168 So. River Road Bedford, New Hampshire 03102 (Applicant-New Hampshire College and University Council 2321 Elm Street Manchester, N.H. 03104)	Normand Dubee 603-668-7198	French & Portuguese	4660	380,000
2	Asian Bilingual Curriculum Development Center	Seton Hall University 4400 South Orange Ave. South Orange, N.J. 07079	John Young 201-762-9000 or 4973	Chinese, Japanese, & Korean	5458	250,000

ESEA TITLE VII CENTERS FOR FISCAL YEAR 1976

MATERIALS DEVELOPMENT CENTERS - 3

Area	Name	Location	Director & Phone Number	Languages	Grant Award No. G00760:	Amount Awarded
5	Native American Materials Development Center	407 Rio Grande Blvd., N.W., Albuquerque, New Mexico 87103 (Applicant-Ramah Navajo School Board, Inc. P.O. Box 248 Ramah, New Mexico 87321)	Gloria Emerson 505-242-5222	Navajo	4663	$350,000
2	Northeast Center for Curriculum Development	City of New York Board of Education Community School District #7 778 Forest Avenue Bronx, New York 10456	Aurea Rodriguez	Greek, Italian, Russian, Spanish & Yiddish	4655	550,000
5	Bilingual Materials Development Center	6000 Camp Bowie Road Fort Worth, Texas 76107 (Applicant-Fort Worth Independent School District 3210 West Lancaster Fort Worth, Texas 76107)	Carlos Perez 817-731-0736	French & Spanish	4659	500,000
5	The National Center for the Development of Bilingual Curriculum-Dallas	Dallas Independent School District Nathan Adams School 3700 Ross Avenue Dallas, Texas 75204	Juan Solis 214-824-1620 ext. 491	Spanish	5282	300,000

ESEA TITLE VII CENTERS FOR FISCAL YEAR 1976

MATERIALS DEVELOPMENT CENTERS - 4

Area	Name	Location	Director & Phone Number	Languages	Grant Award No. G00760:	Awarded
4	Midwest Materials Development Center	1516 West Mitchell Street Milwaukee, Wisconsin 53204 (Applicant-Milwaukee Board of School Directors Division of Curriculum & Instruction 5225 West Vliet St. Milwaukee, Wisconsin 53201)	Francisco Urbina 414-671-5420	Spanish	4667	$200,000

ESEA TITLE VII CENTERS FOR FISCAL YEAR 1976

TRAINING RESOURCE CENTERS

Purpose: Training Resource Centers have been funded to conduct activities in the training of classroom personnel and higher education personnel in order to improve the quality of instruction and service provided to children of limited, English-speaking ability.

Area	Name	Location	Director & Phone Number	Languages	Grant Award No. G00760:	Amount Awarded
7	Berkeley Resource Center	Berkeley Unified School District 2168 Shattuck Avenue, 2nd Floor Berkeley, California 94704	Roberto Cruz 415-549-1820	Native American & Spanish	4661	$600,000
7	Comprehensive Educational Assistance Center	California State University at Fullerton 800 North State College Boulevard Fullerton, California 92634	Anthony M. Vega 714-870-3994	Spanish	5321	250,000
7	Cross-Cultural Resource Center	California State University -Sacramento Department of Anthropology 6000 "J" Street Sacramento, California 95819	Steven F. Arvizu 916-454-6236	Spanish & Micronesian	4788	150,000
7	Bilingual Education Training Resource Center	Institute for Cultural Pluralism 5544½ Hardy Avenue San Diego, California 92182 (Applicant-San Diego State University Foundation 5300 Campanile San Diego, California 92182)	M. Reyes Mazon 714-286-5193	Spanish	4665	700,000

ESEA TITLE VII CENTERS FOR FISCAL YEAR 1976

TRAINING RESOURCE CENTERS - 2

Area	Name	Location	Director & Phone Number	Languages	Grant Award No. G00760:	Amount Awarded
4	Midwest Resource Center for Bilingual Bicultural Education	Bilingual Education Service Center 500 South Dwyer Avenue Arlington Heights, Illinois 60005 (Applicant-Township High School District #214 700 West Kensington Rd. Mount Prospect, Illinois 60056)	Maria Medina-Swanson 312-255-9820	Spanish	4668	$500,000
5	University of Southwestern Louisiana Bilingual-Bicultural Resource Center	University of Southwestern Louisiana E. University Avenue Lafayette, Louisiana 70504	Robert Fontenot 318-233-3850	French, Italian, & Spanish	4669	385,000
1	New England Bilingual Training Resource Center	Boston University School of Education 765 Commonwealth Avenue Boston, Massachusetts 02215	Antonio Simoes 617-353-4365	Chinese, French Greek, Passamaquoddy & Spanish	5283	250,000
5	Southwest Bilingual Education Training Resource Center	The University of New Mexico College of Education Albuquerque, New Mexico 87131	Toby Salas 505-277-4228	Native-American & Spanish	4664	470,000

ESEA TITLE VII CENTERS FOR FISCAL YEAR 1976

TRAINING RESOURCE CENTERS - 3

Area	Name	Location	Director & Phone Number	Languages	Grant Award No. G00760:	Amount Awarded
2	Regional Bilingual Training Resource Center	City of New York Board of Education Center for Bilingual Education 66 Court Street 15th Floor Brooklyn, New York 11201	Carmen Velkas 212-858-5505	Greek, Italian, & Spanish	4656	$350,000
3	Merit Center	Temple University Ritter Hall Annex, Room 434 Broad Street & Montgomery Avenue Philadelphia, Pa. 19122	Dr. Frank X. Sutman Director Annette Lopez Assistant Director 215-787-6258	Spanish	5460	250,000
1	New England Multilingual-Multicultural Teaching Resource Center	Providence School Department-Summit Avenue School 86 Fourth Street Providence, R.I. 02906	Adeline Becker 401-331-3627 or 3630	Italian, Portuguese, & Spanish	4670	300,000
5	South Central Bilingual Resource Center	Region XIII Education Service Center 7703 N. Lamar Austin, Texas 78752	Joel Gomez Acting Director 512-458-9131	Spanish	5459	250,000

ESEA TITLE VII CENTERS FOR FISCAL YEAR 1976

TRAINING RESOURCE CENTERS - 4

Area	Name	Location	Director & Phone Number	Languages	Grant Award No. G00760:	Amount Awarded
6	Delta Bilingual/Bicultural Educational Training Center	2001 Annex Building University of Utah Salt Lake City, Utah 84112	Mr. Dale Vigil 801-581-8221	Native-American & Spanish	5251	$200,000
8	Bilingual Education Technical Assistance Center	Tacoma School District #10 P.O. Box 1357 Tacoma, Washington 98401	Dr. Pio de Cano 206-383-1811 ext. 235	Pacific-Asian & Spanish	5517	200,000
8	Bilingual Training Resource Center	University of Washington College of Education 122 Miller Hall Seattle, Washington 98195	Dr. Juan Juarez 206-543-9424	Native-American & Spanish	5518	145,000

Mr. **Corrada**. Thank you.

I don't have any further questions, Mr. Chairman.

Mr. **Ford**. Thank you.

I recognize Mr. Weiss of New York

Mr. **Weiss**. Thank you, Mr. Chairman.

Dr. Molina, I wonder if you had occasion, if the Department had occasion, to review the situation in New York in light of the fiscal crisis that the city has been suffering through for the last three years where we have lost, oh, I would say, approximately 12,000 teachers from the teacher force, most of them being the younger teachers, most of them being either black or Hispanic, many of them being the newer people in the teaching force, and as to what effect that has had on the bilingual program?

Dr. **Molina**. I am aware of this issue, and I have had discussions with people from New York City on this issue. However, our bilingual programs, are surviving, and we do have a great number of bilingual classroom teachers in our program. However, I recognize the crunch, and the fact that they established a policy for a while that the last one hired was first one fired. But I understand that they are presently making a special compensation for those classroom teachers who are bilingual.

Mr. **Weiss**. There has been a legal action, a suit, if you will against the Board of Education which has helped to focus people's attention on that as a problem, but I just wonder whether in fact the Department itself focuses on it on its own rather than just being vaguely aware that that is a problem, because it seems to me that ultimately, as you indicated, the success or failure of the program really depends on the capacity of the teacher, and where you have people who on their own speak the language, speak both languages, it seems to me that you have gone better than half way in meeting the problem, and that that probably is a more effective kind of a talent capacity than anything that you can do by way of teaching the teachers how to teach in that specific language; if they grew up with that language, if they speak it as their own first or second language, that they are more capable of doing that, and it seems to me that would be one of the primary concerns of the Department, to see whether the teachers with the bilingual capacity are in fact being encouraged to stay in the system or are being pushed out of the system, not necessarily intentionally but none the less pushed out of the system.

Dr. **Molina**. Well, it has been brought to my attention. We have been in New York City to discuss this with the personnel directors, and others in the administration of the city, but the procedures of the Board are autonomous. They are an independent school district, so that we try to work out whatever compromises we can, but the final control of the school, is the local school district, and the Federal Government has no authority in dictating or making demands upon the personnel practices of any local school district.

Mr. **Weiss**. Thank you, Mr. Chairman.

Thank you, Dr. Molina.

Mr. **Ford**. The Chair recognizes Mr. Kildee of Michigan.

Mr. **Kildee**. Thank you, Mr. Chairman.

You mentioned the problem, Dr. Molina, of lack of dollars compared to the vastness of the needs. I would like to ask you a specific question. The largest Chaldean community in the world outside of Bagdad is in Michigan. A number of them live in Congressman Ford's district, and their language is quite different than Arabic. They speak actually basically the basic language which Christ spoke when he walked the earth, and their liturgy is a variation of that. Do you know whether or not any Federal grants have been given for the teaching of Chaldean in this country?

Dr. MOLINA. Mr. Kildee, I don't know. I don't think so. We do have an Arabic program in the Dearborn public schools in Michigan.

Mr. KILDEE. Yes, I am aware of that one.

Dr. MOLINA. But I don't believe we have a Chalden program. We do have Arabic, Vietnamese, and Spanish in Michigan.

Mr. KILDEE. Would you look into the possibility of what could be done. Detroit, Michigan and the area surrounding Detroit have from what we can gather the largest Chaldean community outside of Bagdad, and their home language is not Arabic, not Arabic even in Arabic countries. All through the years they have been victims of attempted genocide, but they have maintained their culture and their language. If you could look into that and report I would appreciate it very much.

Dr. MOLINA. I will be pleased to do that, Mr. Kildee.

[The information referred to follows:]

Charles Miller, a member of my staff, gave technical assistance to the Chaldean community in Detroit, Michigan on May 12, 1977. In addition, the Michigan State Department of Education Title VII coordinator has been meeting with the Chaldean community on the average of every two weeks to offer technical assistance. They have established an AD HOC Committee and have two Chaldean representatives on the Statewide Advisory Council.

Mr. KILDEE. Thank you very much.

Mr. FORD. Mr. Quie.

Mr. QUIE. Thank you, Mr. Chairman.

Dr. Molina, do you think that we ought to become a bilingual nation like Canada where we would print everything in two different languages?

Dr. MOLINA. Mr. Quie, I don't really think about it too often. The idea is so far-fetched that I don't really give it too much thought. I don't believe that this country will ever become a bilingual society. I think the English language is here to stay, and it is pretty solid, and I think the American culture is pretty solid, and I don't share the fear of those who feel that this program is going to split ethnic groups into war camps.

I think in most cases the battle of society is between the have and have nots, and it is not related to language, so I am not really too concerned with that. I don't think it will ever happen, as long as English is the language of commerce.

Mr. QUIE. Do you think then the first goal of the bilingual program ought to be to bring students up to proficiency in English?

Dr. MOLINA. Absolutely, absolutely. It should be the paramount goal of all bilingual programs whether maintenance or transitional.

Mr. QUIE. Then when we read in the study that Hispanic students in non Title VII programs did better in their English proficiency than those in Title VII, should we not be concerned here in the committee that something isn't exactly operating the way it ought to be?

Dr. MOLINA. I think we should look more closely at that. I think there were some conclusions reached that weren't necessarily reached by the AIR study. The AIR study gave an oral language test which was not reported in the interim study that will be reported in the final study. The gentleman from AIR will address this issue in the next panel discussion.

They gave a reading test which is different from a language proficiency test. The youngsters did not do as well in reading, which didn't surprise me in the least. If some of those youngsters had just arrived in those classrooms and didn't understand a word of English I suspect they wouldn't do well in the reading test. The AIR report does not, at least in the interim report, tell us the length of time that the individual children had been in that classroom. They were mandated to evaluate programs in existence for four or five years, but not necessarily children who had been in the program for four or five years. Therefore, I was a little disturbed about the reading scores. However, I would have to look at the final report to determine whether that is an accurate statement or not. But it is not a language proficiency criterion.

Mr. QUIE. I understand that the control group was pretty much the same type of student.

Dr. MOLINA. That is right.

Mr. QUIE. And, therefore, I don't understand your answer even though you say that it was not English proficiency that they were talking about, but reading. Shouldn't they learn how to read better in a Title VII program than if they weren't in a Title VII program?

Dr. MOLINA. Yes, they should, but the usual process is that they learn to speak first. They learn English first. They go from oral into the written form. So once you have gained a minimum proficiency in terms of speaking, then you begin to introduce reading. This study covers only a 5.5 months period of time, which is not very long to measure learning. Then also in the report itself it admits that some of the control group had bilingual education methodology, so it wasn't a pure control group. AIR had difficulty getting control groups from school districts. So they then requested school districts to select students, therefore they had to take whatever students were selected, which wasn't necessarily a pure comparison group. I think the AIR study said so, but other people have made conclusions that were not necessarily there.

Mr. QUIE. What I have noticed is that when there is a study that indicates that a program isn't working very well, people usually then pick the study apart rather than try and look at their program to see whether it has been operating well or not. That happens in vocational education and others. I think those studies did make people wake up to the fact that they ought to probably improve.

Let me also ask you, do you think we ought to provide assistance for those who are the most severely behind in their English, meaning that we ought to provide the program for those without English proficiency before we make it available to those who do have a capability in English? I think the study said only about a third of them lacked proficiency. The other two-thirds evidently already had their proficiency in English.

Dr. MOLINA. I think the intent of Congress was to focus on the child with the greatest need and that is for whom our rules and regulations are written, and we ask school districts to focus on these youngsters. The Bilingual Education Act is in fact a transitional bilingual education bill, and that is what we try to carry out.

When you ask me what I think, I think that bilingual education is an academic program. I think it is the most scholarly way to learn languages. I think it should be available to all children regardless of their ethnic background and regardless of their economic status. I think bilingual education is the way that we are going to develop the language resources of this Nation, and that is my personal viewpoint and not necessarily that expressed by my operation of the program.

Mr. QUIE. So it doesn't bother you at all that less than a third of the students enrolled in Title VII, as they said in their summary, in grades two through six were of limited English speaking ability?

Dr. MOLINA. Certainly it bothers me, but I am operating under a bilingual bill, and I am expected to follow the rules and regulations, and I will follow the legislation as mandated by the Congress, so it does concern me greatly.

Mr. QUIE. Are you going to lay down some better regulations than we have had in the past where now evidently you have been depending on the teachers for determining proficiency in English or limited English-speaking ability? Also, how do you actually determine functionality in English?

Dr. MOLINA. Yes, we are, Mr. Quie. We have already begun the mechanisms to tighten up on the program. We are proposing to look at our weighted point system. We have outside readers who apply this point system to the applications which are then ranked in order and those receiving the highest points are awarded grants.

What we are proposing is to look at the weighting system, the point system, and give additional points to those proposals and projects with better models for testing the limited English speaking child. We will require that a pre-test be given for proposed participants. We are also proposing to engage in further research in this area, and we will be coming to Congress with some legislative changes in the coming year.

Mr. QUIE. When will you have those ready?

Dr. MOLINA. In the fall.

Mr. QUIE. I know OMB clears them but when will you have them ready?

Dr. MOLINA. I am told we will have them ready in the fall.

Mr. QUIE. If a school district gets a grant for one year will you then expect that school district to compete again next year, or is it rather automatic that they get continued funding now that you are going to have the regulations revised?

Dr. MOLINA. Mr. Quie, in the past we asked school districts to compete on a year to year basis, but we found it to be unsuccessful. Quite often school districts were delayed in implementing their projects due to late funding; also, by the time projects had gotten started they were faced with re-applying. As a result we shifted to a multi-year funding process which requires school districts to propose a three, four, or five year plan. Those school districts which fall within the funding range are negotiated according to their proposed plans and a realistic time frame. Subsequent funding is based upon the progress of their stated objectives. If they are progressing satisfactorily they are refunded for the same work scope and they do not compete on a national basis.

Mr. QUIE. A number of States have their own bilingual programs. Howe do you tie in and coordinate Title VII programs with the State-run programs?

Dr. MOLINA. Not very easily.

Mr. Quie, the definitions vary among States, which does cause difficulty in coordination. For example the bilingual program of the State of Illinois can pull youngsters out of classrooms for part of the day for bilingual instruction or instruction in their native language for an hour, an hour and a half, two hours, depending on the particular need. Our legislation mandates that bilingual education be an all-day program and so we do have difficulty in coordinating our two programs in that particular State. However, there are variations among States. In California, Colorado, and New Mexico, their definitions and our regulations are very similar so the coordination is smoother.

Mr. QUIE. Should we give you more flexibility, or is the lack of flexibility something within your own Department?

Dr. MOLINA. I think it is fine the way it is. We are making some progress and this is the first time we began to fund State departments of education to provide coordination of technical assistance. On the whole I think it is too early to tell, but we should allow States to be in the field for a couple of years before we make any changes.

Mr. QUIE. It is my understanding that if an applicant district is in violation of Lau, then they cannot be funded, but if they already have a program, even though they are out of compliance with Lau, they can continue to be funded. Is that correct?

Dr. MOLINA. Mr. Quie, if a particular district is found out of compliance with Title VI of the Civil Rights and they are operating on a project period basis and they are not competing for a new application, then we continue to fund them under that original agreement. It is my understanding that if districts, are found out of compliance they are put on deferral and are not eligible for new grants.

Mr. QUIE. So for a multi-year project they can continue with their multi-year project, but wouldn't be eligible for new ones.

Dr. MOLINA. That is correct.

Mr. QUIE. Also if a district has, we will say, 100 students who have been in the Title VII program and are English proficient, and they got another 100 students who aren't English proficient, how would you handle that in the sense of priority? Would they continue their students on who have English proficiency over and against the non-English proficient students who haven't been in the program, or do they have to give priority to the non-English proficient students?

Dr. **Molina**. No; we ask them to provide us with a narrative that describes their greatest need and the youngsters they are planning to serve. Our rules and regulations are clear on that issue that they are to serve youngsters with the greatest needs, and therefore the non-English speaking would be the priority and then the limited English speaking on a voluntary basis.

Mr. **Quie**. How many States have their own bilingual programs?

Dr. **Molina**. During the 1975-76 school year, 16 of the 50 States had some form of operating bilingual instructional programs supported with State funds, even though 40 States permitted or mandated bilingual instruction.

Mr. **Quie**. And the States can get Title VII money as well?

Dr. **Molina**. Yes.

Mr. **Quie**. What do the States use that money for, the ones with bilingual programs, and those without bilingual programs?

Dr. **Molina**. The States are eligible for two different programs. They are eligible to apply for funds to provide technical assistance and coordination of bilingual programs within the State. There is a problem with this particular program regarding the formula that says the State is eligible for up to five percent of what the local school districts receive within that State. This is fine for States like California and Texas and New York and Colorado, but it is just not enough money for States like Idaho, Montana, North and South Dakota, et cetera, therefore we feel the formula is not working equitably, but it is a formula that is explicitly stated in the statute.

Secondly, States can receive funds through the teacher training program. A State department of education can actually apply to train teachers for their bilingual education programs.

Mr. **Quie**. Can the States do anything about setting priorities of who should get into the bilingual programs?

Dr. **Molina**. No, they cannot. If they want changes or improvements in their projects we negotiate those with the local school district, but the local school district applies directly to the Office of Bilingual Education for funds. They are evaluated by the Office of Bilingual Education.

Mr. **Quie**. Does the State do any evaluation for you of programs within the State, or is all that evaluation outside of the school district only done by yourself?

Dr. **Molina**. Up to now States have not helped us in evaluation procedures. However, this year was the first year in which we funded State programs and we are hopeful that they will assist us not only in evaluating programs but perhaps in reviewing some programs that are exemplary.

Mr. **Quie**. I would think that would be a good system where you would have somebody that doesn't have their own proprietary interest in it like both yourself and the school district, but yet has a capability. What about parents? Do they have any voice as to whether students are in or out, or any voice in the priorities within school districts?

Dr. **Molina**. The statute requires a local parent advisory council to be composed of parents of children of limited English speaking proficiency. Consequently this has caused some difficulty. Other parents in the community who are interested in bilingual education are excluded from participating in the parent advisory council. The law says that 100 percent of the council shall be composed of parents of children of limited English speaking proficiency. We also provide in our rules and regulations for parent activities, but I must admit that we don't have very many parent activities in our projects.

Mr. QUIE. And what about the first part of the question? What voice do the parents of the child have as to whether their child is in or out of a Title VII program?

Dr. MOLINA. The advisory council must be allowed to look at evaluation data, visit classrooms, and so forth. We also require a public hearing where parents can comment prior to the time the application arrives in Washington. That is about the extent of it.

Mr. QUIE. As far as their own child is concerned, they don't have any voice as to whether they can or cannot be in the program?

Dr. MOLINA. In many school districts it is a voluntary program and parents do choose. We have problems in some areas. For example, in Texas in some cities we have a waiting list of parents wanting their children in the bilingual program, and the district just cannot accommodate them. Certainly if parents want their child out of a bilingual education classroom they can remove them.

Mr. QUIE. Do you have any information on the division between rural areas and urban areas where you have Title VII programs now?

Dr. MOLINA. No, I do not.

Mr. QUIE. You don't have any breakdown of that at all?

Dr. MOLINA. Well, I could break it out in towns, cities and States, but I don't have it broken out that way at the present time. I can provide it for the record, Mr. Quie.

Mr. QUIE. Okay. I would like to see it primarily in the urban areas for now.

[The information referred to follows:]

ESEA TITLE VII 1976 PROJECT FUNDING SUMMARY OF LOCAL SCHOOL DISTRICTS IN URBAN, TOWN AND RURAL CATEGORIES

I. RURAL SCHOOL DISTRICTS

(a)	Total number of rural school districts receiving FY'76 Federal dollars under Subpart B of the Title VII Bilingual Education Act	46
(b)	Total amount of FY'76 Federal dollars being spent in rural school districts under Subpart B of the Title VII Bilingual Education Act	$4,445,919
(c)	Total percentage of FY'76 Federal dollars being spent in rural school districts under Subpart B of the Title VII Bilingual Education Act	6.39%

II. TOWN SCHOOL DISTRICTS

(a)	Total number of town school districts receiving FY'76 Federal dollars under Subpart B of the Title VII Bilingual Education Act	175
(b)	Total amount of FY'76 Federal dollars being spent in town school districts under Subpart B of the Title VII Bilingual Education Act	$23,327,625
(c)	Total percentage of FY'76 Federal dollars being spent in town school districts under Subpart B of the Title VII Bilingual Education Act	36.39%

III. URBAN SCHOOL DISTRICTS

(a)	Total number of urban school districts receiving FY'76 Federal dollars under Subpart B of the Title VII Bilingual Education Act	204
(b)	Total amount of FY'76 Federal dollars being spent in urban school districts under Subpart B of the Title VII Bilingual Education Act	$39,594,764

(c) Total percentage of FY'76 Federal dollars being spent in urban school districts under Subpart B of the Title VII Bilingual Education Act — 57.22%

ESEA TITLE VII 1976 PROJECT FUNDING SUMMARY OF LOCAL SCHOOL DISTRICTS IN URBAN, TOWN AND RURAL CATEGORIES

ENROLLMENT DATA (Inclusive of Children Ages 3-18)

STATES	RURAL 0 - 1,000 ADA		TOWN 1,001 - 10,000 ADA		URBAN OVER - 10,000 ADA		TOTAL NO. OF STATE TITLE VII PROJECTS	TOTAL STATE DOLLAR Amount
	No. of Districts	Dollar Amount	No. of Districts	Dollar Amount	No. of Districts	Dollar Amount		
ALABAMA	0	$ 0	0	$ 0	0	$ 0	00	$ 0
ALASKA	6	319,067	1	64,430	0	0	07	383,497
ARIZONA	5	389,338	11	1,566,050	3	380,166	19	2,335,554
ARKANSAS	0	0	0	0	0	0	00	0
CALIFORNIA	12	1,050,737	55	5,939,276	47	11,949,006	114	18,939,019
COLORADO	1	120,000	5	517,304	5	452,209	11	1,089,513
CONNECTICUT	0	0	0	0	5	718,271	05	718,271
DELAWARE	0	0	0	0	1	185,475	01	185,475
DISTRICT OF COLUMBIA	0	0	0	0	1	201,466	01	201,466
FLORIDA	2	141,678	0	0	5	735,834	07	877,512
GEORGIA	0	0	0	0	1	100,000	01	100,000
HAWAII	0	0	0	0	1	433,000	01	433,000
IDAHO	0	0	1	219,667	0	0	01	219,667
ILLINOIS	0	0	0	0	1	2,500,000	01	2,500,000

ESEA TITLE VII 1976 PROJECT FUNDING SUMMARY OF LOCAL SCHOOL DISTRICTS IN URBAN, TOWN AND RURAL CATEGORIES

ENROLLMENT DATA (Inclusive of Children Ages 3-18)

STATES	RURAL 0 - 1,000 ADA		TOWN 1,001 - 10,000 ADA		URBAN OVER - 10,000 ADA		TOTAL NO. OF STATE TITLE VII PROJECTS	TOTAL STATE DOLLAR Amount
	No. of Districts	Dollar Amount	No. of Districts	Dollar Amount	No. of Districts	Dollar Amount		
INDIANA	0	$ 0	1	$ 19,727	0	$ 0	01	$ 19,727
IOWA	0	0	0	0	0	0	00	0
KANSAS	0	0	1	62,500	0	0	01	62,500
KENTUCKY	0	0	0	0	0	0	00	0
LOUISIANA	0	0	1	177,487	7	1,004,218	08	1,181,705
MAINE	1	103,853	2	212,951	0	0	03	316,804
MARYLAND	0	0	0	0	1	190,000	01	190,000
MASSACHUSETTS	0	0	4	311,890	4	1,076,735	08	1,388,625
MICHIGAN	0	0	1	36,777	7	911,319	08	948,096
MINNESOTA	0	0	0	0	1	195,000	01	195,000
MISSISSIPPI	0	0	1	264,333	0	0	01	264,333
MISSOURI	0	0	0	0	1	143,572	01	143,572
MONTANA	5	500,248	1	122,881	0	0	06	623,129
NEBRASKA	0	0	0	0	0	0	00	0

ESEA TITLE VII 1976 PROJECT FUNDING SUMMARY OF LOCAL SCHOOL DISTRICTS IN URBAN, TOWN AND RURAL CATEGORIES

ENROLLMENT DATA (Inclusive of Children Ages 5-18)

STATES	RURAL 0 - 1,000 ADA		TOWN 1,001 - 10,000 ADA		URBAN OVER - 10,000 ADA		TOTAL NO. OF STATE TITLE VII PROJECTS	TOTAL STATE DOLLAR Amount
	No. of Districts	Dollar Amount	No. of Districts	Dollar Amount	No. of Districts	Dollar Amount		
NEVADA	0	$ 0	0	$ 0	0	$ 0	00	$ 0
NEW HAMPSHIRE	0	0	1	120,000	0	0	01	120,000
NEW JERSEY	0	0	7	960,585	5	1,196,455	12	2,157,040
NEW MEXICO	5	475,290	13	1,312,936	2	282,253	20	2,070,479
NEW YORK	0	0	31	5,328,624	37	8,227,456	68	13,556,080
NORTH CAROLINA	0	0	1	148,500	0	0	01	148,500
NORTH DAKOTA	0	0	0	0	0	0	00	0
OHIO	0	0	0	0	3	457,612	03	457,612
OKLAHOMA	1	102,043	2	332,364	1	58,462	04	492,869
OREGON	0	0	2	323,625	2	336,160	04	659,785
PENNSYLVANIA	0	0	1	76,397	5	730,448	06	806,845
RHODE ISLAND	0	0	5	469,827	2	327,957	07	797,784
SOUTH CAROLINA	0	0	0	0	0	0	00	0
SOUTH DAKOTA	0	0	0	0	1	89,593	01	89,593

ESEA TITLE VII 1976 PROJECT FUNDING SUMMARY OF LOCAL SCHOOL DISTRICTS IN URBAN, TOWN AND RURAL CATEGORIES

ENROLLMENT DATA (Inclusive of Children Ages 3-18)

STATES	RURAL 0 - 1,000 ADA		TOWN 1,001 - 10,000 ADA		URBAN OVER - 10,000 ADA		TOTAL NO. OF STATE TITLE VII PROJECTS	TOTAL STATE DOLLAR Amount
	No. of Districts	Dollar Amount	No. of Districts	Dollar Amount	No. of Districts	Dollar Amount		
TENNESSEE	0	$ 0	1	$ 0	0	$ 0	01	$ 40,000
TEXAS	5	569,087	12	5,186,075	47	5,329,510	64	11,084,673
UTAH	0	0	3	306,401	0	0	03	306,401
VERMONT	1	107,924	0	0	0	0	01	107,924
VIRGINIA	0	0	0	0	1	96,530	01	96,530
WASHINGTON	0	0	2	438,563	2	429,417	04	867,980
WEST VIRGINIA	0	0	0	0	0	0	00	0
WISCONSIN	0	0	0	0	1	327,634	02	327,634
WYOMING	0	0	1	67,763	0	0	01	67,763
AMERICAN SAMOA	0	0	1	216,400	0	0	01	216,400
GUAM	1	309,959	0	0	0	0	01	309,959
PUERTO RICO	0	0	0	0	1	459,345	01	459,345
VIRGIN ISLANDS	0	0	0	0	1	251,907	01	251,907
TRUST TERRITORY	1	56,695	7	484,292	1	44,210	09	585,197
GRAND TOTALS	46	$4,445,919	175	$25,327,625	204	$39,821,220	425	$69,594,764

Mr. Quie. Also the law requires that the Office of Bilingual Education be responsible for all programs of bilingual education and vocational education and adult education, library, and so forth. How is that working within the Department?

Dr. Molina. My office administers the Title VII Bilingual Education Act. Other offices admininister the other programs, for instance, vocational education, part J, is administered by the Bureau of Vocational Education. We have established a coordinating council that meets periodically to exchange information, to look at the directions we are taking and to develop position papers. We are coordinating through a coordinating council, but as I mentioned, Mr. Quie, my office administers the Title VII.

Mr. Quie. I gather you aren't doing much of any real coordination then of other programs so they don't have to have approval from you at least?

Dr. Molina. I think we are doing quite well considering the size of the bureaucracy. We came out last year for the first time with an annual report to Congress on bilingual education where we reported all programs, and I think that was a first, and we are working very closely now in the second report to Congress in the development of a five-year plan in which we are including all programs that address the limited English speaking child and adult.

In addition to that, we have been very, very effective in working with the National Institute of Education on a number of joint projects and also in the National Clearinghouse, so I am extremely encouraged, and I think we are moving along in this area. But it takes time.

Mr. Quie. How does that coordination operate in the regional offices?

Dr. Molina. On the coordinating council we have a representative from a task force or committee appointed by the regional commissioners. There are three members on that committee, a gentleman from San Francisco, from New York, and from Texas, and they meet with the coordinating council here in Washington on call.

Mr. Quie. That is again back here in Washington. What about in the regional office where these programs are administered and how does that jurisdiction operate?

Dr. Molina. The Bilingual Education Act is administered from Washington, D.C., and there is very little involvement other than passing information to the regional office for this particular program. However, they do administer the ESAA program on a regional basis, and my colleague on the left will address the operation of that program.

Mr. Ford. Will you yield?

Mr. Quie. Yes, I yield.

Mr. Ford. Counsel has just called my attention to Section 731 of the Act which says:

"There shall be in the Office of Education an Office of Bilingual Education (hereinafter this section referred to as the office) through which the Commissioner shall carry out his functions relating to bilingual education. The office shall be headed by a Director of Bilingual Education appointed by the Commissioner to whom the

Commissioner shall delegate all of his delegable functions relating to bilingual education. The office shall be organized as the director determines to be appropriate in order to enable him to carry out his functions and responsibilities effectively."

Your title is Director, Office of Bilingual Education.

Dr. MOLINA. Yes, it is.

Mr. FORD. And listening to your response to Mr. Quie it sounds like the shop over there is ignoring statutory direction, which is that the person with your title would not only be the number one arm of the Commissioner in all bilingual education programs, but it would in fact have the power to organize the office as you saw fit to carry out that function. Do I understand from what you just said to Mr. Quie that that is not being done?

Dr. MOLINA. Mr. Ford, there is an Office of Bilingual Education within the Office of Education, and I report directly to the Commissioner as mandated by the legislation, and I have organized my office to operate the six independent programs, as I mentioned before. Mr. Quie had asked me if I administered the other programs related to bilingual education, and my reply is simply that I do not administer those other programs.

Mr. FORD. But this is a general education provision and doesn't limit the term. Bilingual education here means all bilingual education programs. Has the Commissioner delegated his authority with respect to all of these programs to your office?

Dr. MOLINA. The Commissioner has delegated his authority for the Title VII Bilingual Education Act and for the bilingual section or setaside of EPDA, Educational Professional Development Act, to me.

Mr. FORD. Is there anything happening that you know of to indicate that the Office of Education is going to comply with the direction of Congress pretty soon and give you this authority?

Dr. MOLINA. I cannot answer that, Mr. Ford, at this present time. I would think that that question should be addressed to someone other than myself.

Mr. FORD. It will be.

Mr. QUIE. How much of a bilingual component is there to the Emergency School Aid Act?

Dr. MOLINA. On my left, Mr. Quie, is Mr. Elton Ridge, who administers the program.

Mr. QUIE. I will wait until the next one to talk about it and hold that off.

Thank you, Mr. Chairman. I will wait for the others. I see I am getting into subjects about which the others are going to testify.

Mr. FORD. Mr. Heftel.

Mr. HEFTEL. Yes.

Doctor, in Hawaii we are a classic example of the need for bilingual education. Do you know whether Hawaii is one of the 16 model districts that will be used under the program that you are now discussing?

Dr. MOLINA. No, it will not be one of the models. Hawaii has been in our program for the last two years. These models that we selected have been in the program for five years, so we watched them for over a great length of time, but Hawaii is in its third year now.

Mr. HEFTEL. The reason I ask is that we have learned in Hawaii the very hard way what happens when people come to our State from Guam, Samoa, Fiji, the Philippines, Korea, and Vietnam without the ability to speak English. We see the violence and the turbulence in our schools because these young people do not have an adequate educational program presented to them and the parents are basically not included. The chaos that results is not only self-defeating to the new members of our society who have come to us, but also it is self-defeating to those who are already there because of the disruption and the fear and the violence that we must contend with. I wonder if you were going to look for a pilot that could give you the very unique features of many non-speaking immigrants in a small self-contained area where there is but one department of education, unlike the typical State with a multitude of districts of education, Hawaii has but one, and I think it would be desirable to ask of your office that you direct a study as to why Hawaii would not be the prime example of a model State for the program you are discussing.

I have read and listened. All of your philosophy and all of your theory are very accurate. I think the question is one of implementation. Are we implementing that which you so eloquently express in a very few words? Certainly I do not see it in Hawaii, which would be the classic place, and I am disappointed that you would not have seen this as the perfect laboratory testing program, the one place where you could put your theories to work, and I would be very interested to know how and why you would not have leaped at the opportunity to put the program to test in an area that offers this great diversion of language barrier, multitude of language barrier, and constant immigration creating this language problem.

Dr. MOLINA. Well, Mr. Heftel, I think Hawaii has come a long way in the last couple of years. I visited Hawaii in 1973, at which time I was unable to convince the State Department of Education in Hawaii to apply for a grant for a bilingual education program. Since that time they applied and we have a very fine Iocano speaking program in Hawaii, and I understand this year they have come in for additional languages.

We are also contemplating the establishment of a national material development center in Hawaii to not only deal with the languages on the island itself but the Trust Territories of Guam and other areas of the Pacific that are in dire need of material and of trained personnel to handle their own problems, so we are looking towards Hawaii for great assistance.

Mr. HEFTEL. I would like to comment that I hope you are not thinking that Hawaii is ready to solve the problems of the Trust Territories and other off-shore territories when we have so far to go ourselves.

I wonder also, Mr. Chairman, would Dr. Molina send a letter to me stating that in 1973 the State of Hawaii declined to participate in a bilingual program, and what has occurred since then, because our needs are critical, if not at crisis stage at this time, in terms of our failure to provide language training and integration for both the children and their families. I do not question the fact that you were told this in 1973, but I would like it as a matter of record because one of the primary reasons I am on this committee is because of a bilingual problem in Hawaii that is not being solved. I would appreciate very much a history of your communication and experience with the State, and then we can go forward from there.

Dr. **Molina**. Be glad to.

[The information referred to follows:]

In 1973 I visited with personnel from the Hawaii State Department of Education to provide them with information and technical assistance with respect to bilingual education. Since my visit, Hawaii Department of Education did submit an application for FY '75 that was approved. The level of funding for this application has been as follows:

FY '75 - $500,000
FY '76 - 500,000
FY '77 - 525,000*
*to be negotiated

This project serves limited English-speaking students in the following languages: Ilocano, Samoan, Korean, Chinese, Japanese

Mr. **Heftel**. Thank you very much.

Thank you, Mr. Chairman.

Mr. **Ford**. Mr. Pressler.

Mr. **Pressler**. May I ask what Indian programs, or how many new Indian programs were funded last year that we have?

Dr. **Molina**. How many new Indian programs?

Mr. **Pressler**. Yes, or some comments about what Indian programs have been funded first of all.

Dr. **Molina**. We have 45 basic Indian projects plus a number of materials development and training projects. I don't have a breakout of how many of those were brand new this past year, but they were all funded for a total of approximately $7 million.

Mr. **Pressler**. Maybe you haven't got it now. I would like to get what the tribal distribution of some of those programs and where they are. Maybe I can get that later.

Dr. **Molina**. Be glad to submit that for the record, Mr. Pressler.

[The information referred to follows:]

*NATIVE AMERICAN TITLE VII FUNDS BY LANGUAGE - FY 1976

Central Yupik	64,430
Aleut	77,858
Yupik	350,722
Gwichin	161,293
Inupiaq	263,913
Athabascan	63,853
Upper Tanana	42,857
Upper Kuskokwin	42,857
Sugpiap	42,857
Siberian Yupik	42,857
Navajo	1,408,611
Havasupai	45,529
Papugo	63,049
Hualpai	45,529
Paiute	52,386
Ute	29,185
Miccosukee-Seminole	53,998
Eelaponke	108,680
Passamaquady	153,853
Choctaw	429,333
Crow	606,691
N. Cheyenne	120,438
Cree	101,000
Keresian	174,434
Tewa	86,979
Apache	110,578
Mohawk	185,840
Cherokee	312,243
Seminole-Creek	195,621
Lakota	89,593
Various (Mixed)	812,000
TOTAL	6,315,066

* Many Native American projects are components of multi-lingual projects and hence estimates are required. Title VII has awarded $5,762,220 to projects that have only Native American components.

Mr. **Pressler**. Okay. Fine.

That is all, Mr. Chairman.

Mr. **Ford**. Mr. LeFante.

Mr. **LeFante**. No questions.

Mr. **Ford**. Dr. Molina, we have a number of other questions, some that the Chairman would have wanted to ask. We are really running into a time bind now. I wonder if we could submit from the Chairman a list of additional questions for you to respond to for the record and they will be put in the record.

Dr. **Molina**. Yes, of course. (See Appendix 10.)

Mr. **Ford**. I want to thank you very much for your patience and for your testimony and once again extend a hand of friendship from the committee and suggest that the questions coming from the panel this morning were coming invariably from people who have been and continue to be strong supporters of the entire principle involved here. So you can imagine the kind of questions we are hearing from those who didn't think it was a very good idea in the first place. I hope that you will bear that in mind and we will talk to the Commissioner about the organization of your office.

Dr. **Molina**. Thank you very much, Mr. Chairman and committee members, for the opportunity to testify this morning.

Mr. **Ford**. Mr. Elton Ridge.

Without objection, the prepared statement submitted by Mr. Ridge will be included in full at this point, and you may proceed to comment on it, expand on it, as you see fit.

[The information referred to follows:]

FOR RELEASE UPON DELIVERY

Statement by
Mr. Elton W. Ridge
Project Manager, Lau-Bilingual Programs
Equal Eduational Opportunity Programs
Bureau of Elementary and Secondary Education
U.S. Office of Education
Department of Health, Education, and Welfare
Before the
Subcommittee on Elementary, Secondary, and Vocational Education
Committee on Education and Labor
U.S. House of Representatives
Washington, D.C.
Tuesday, June 7, 1977
9:30 a.m.

Mr. Ridge is accompanied by:

Mr. Albert Macias, Zone Chief, Equal Educational Opportunity Programs, Bureau of Elementary and Secondary Education, U.S. Office of Education, HEW

Linda Chavez, Special Assistant to the Deputy Assistant Secretary for Legislation (Education), HEW

Albert L. Alford, Assistant Commissioner for Legislation, U.S. Office of Education, HEW

Mr. Chairman and Members of the Subcommittee:

I am pleased to appear before this Subcommittee to discuss the Bilingual Setaside of Title VII, ESAA - The Emergency School Aid Act.

The Supreme Court in *Lau* v. *Nichols* affirmed the responsibility of local education agencies to comply with Title VI of the 1964 Civil Rights Act and HEW regulations issued in connection with the law. These regulations require that school districts take appropriate action to rectify the language deficiencies of children of limited or non-English speaking ability in such a fashion that they may enjoy equal access to the educational opportunities provided to all other students by the school system. The Court made clear that it is the responsibility of LEAs to fashion the appropriate remedy. The Federal responsibility is to insure under Title VI CRA that such programs are developed and implemented.

Lau v. *Nichols* stated on January 21, 1974: "The failure of San Francisco school system to provide English language instruction to approximately 1,800 students of Chinese ancestry who do not speak English denies them a meaningful opportunity to participate in the public educational program and thus violates the CRA of 1964, which bans discrimination based "on grounds of race, color, or national origin in any program or activity receiving Federal financial assistance.

The ESAA bilingual fund setaside is statutory [Sec. 708(c)1

P.L. 92-318). Four percent ($8,600,000 for FY '77) of the total ESAA appropriation is available. The general purpose of these grants, as with other ESAA projects, is to provide financial assistance to meet the special needs incident to the elimination of minority segregation and discrimination among students and faculty in elementary and secondary schools and to encourage the voluntary elimination, reduction, or prevention of minority group isolation. The specific purposes of ESAA bilingual grants are to enable local education agencies undergoing desegregation to help provide equal educational opportunity to children with language and cultural differences; for the purpose of developing or implementing bilingual/bicultural curricula to improve the reading, writing, and speaking skills of minority group children from environments in which English is not the dominant language; for training of teachers and other ancillary educational personnel; and to enhance mutual interracial and interethnic understanding. To qualify for a bilingual grant under ESAA an LEA has to be implementing an eligible desegregation or minority isolation plan to meet the requirements for a basic grant. Bilingual grants may also be awarded to non profit organizations to develop bilingual/bicultural curricula at the request of an eligible LEA.

All 50 States are eligible to compete for ESAA bilingual grants. There is no State apportionment. Applicants compete on a national basis. Applications are reviewed, scored, and awards are granted to applications receiving the highest scores from the top down until available funds are exhausted. Each application is evaluated according to specific criteria by Office of Education staff and non-federal review panels with special expertise in Bilingual educational programs and school desegregation. Applicants for bilingual grants are also eligible to participate in the subsequent resubmission process during which low scoring applications can be revised and resubmitted for second cycle competition.

A three year comparison of ESAA bilingual grants follows:

FISCAL YEAR	No. OF AWARDS	AVERAGE AWARD	TOTAL STATES SERVED
75	34	$ 266,235	8
76	32	285,889	8
77	13*		

*13 projects have been funded to date; 59 projects are eligible for resubmit cycle. Completion prior to July 1.

STATEMENT OF ELTON W. RIDGE, PROJECT MANAGER, LAU-BILINGUAL EDUCATION, EQUAL EDUCATIONAL OPPORTUNITY PROGRAM, USOE, ACCOMPANIED BY: AL MACIAS, ZONE CHIEF, DIVISION OF PROGRAM OPERATION

Mr. RIDGE. Mr. Chairman and members of the subcommittee, I am pleased to be here this morning also to testify. I do want to say that the Emergency School Aid Act program is a much, much smaller program than the program that Dr. Molina has just discussed. We have four percent of the Emergency School Aid Act money set aside for bilingual programs under the Emergency School Aid Act. For this year that amounts to $8,600,000.

We are funding 32 projects, and they are in eight different States. We service a different type of youngster than the type that Dr. Molina was talking about. The youngsters that we service must be in a school district that is desegregating, and they must be in a school district that is desegregating with an approved plan. If a school district has an approved plan to desegregate, and if they have youngsters in the district who are non-English speakers, they may apply for a bilingual education grant.

Mr. QUIE. Will you yield?

Mr. FORD. Go ahead.

Mr. QUIE. Could you define non-English speaker?

Mr. RIDGE. Well, the non-English speakers would be those who are now having access to equal education opportunities. If they cannot understand in the classroom then they would be considered a non-English speaker.

The main goal of the program is to give equal opportunity to all youngsters in the program.

Mr. QUIE. You don't use OCR's definition then?

Mr. RIDGE. I don't know that we use OCR's definition. OCR would decide whether or not the district is in compliance, and if they asked for assistance, then we would be able to help them.

Mr. QUIE. I understand from the definition they use they speak another language in the home even though they have proficiency in English. You don't use that. You really meant it when you said non-English speaking.

Mr. RIDGE. I meant non-English speaking.

Mr. MILLER. Would the Chairman yield?

Mr. FORD. Yes.

Mr. MILLER. Are we talking about getting a third definition or is it the situation in the school district that confines your ability to go in and to limit the—

Mr. RIDGE. If the school district advises in their desegregation plan, and it is an approved plan, that there are a certain number of youngsters that do not have equal access because of language or cultural difference we would accept that.

Mr. MILLER. And they would not apply under Title VII.

Mr. RIDGE. There is a possibility they could apply under Title VII, but there is also the possibility that they have been served under Title VII and been transferred into a school that is desegregated and they would have left Title VII services and picked up services of the Emergency School Aid Act.

Mr. MILLER. Thank you.

Mr. QUIE. Would the Chairman yield further?

Are you saying that cultural difference is in there as well?

Mr. RIDGE. The language and cultural differences is the term, yes, sir.

Mr. QUIE. What difference does that make whether a person has a cultural difference or not if he can handle English?

Mr. RIDGE. Well, I am talking mainly about language differences.

Mr. QUIE. Mainly. I don't know why in the world culture differences should play any role at all.

Mr. MILLER. I don't understand. I don't understand what is going on here. Excuse me for butting in. Isn't the question how do we help children who are being deprived of a full educational opportunity because of the language barrier?

Mr. RIDGE. Yes, sir.

Mr. MILLER. And what difference does it make what kind of a school district they are in or what the culture differences are?

If the gentleman would yield, I am worried about the classification. I don't understand how he classifies who gets what funds.

Mr. FORD. Let me read from the section of the Act which was an amendment to the original Act. This is a function that we never discussed at all when the Act was being passed, but the statute says:

"The Assistant Secretary shall carry out a program to meet the needs of minority group children who are from an environment in which the dominant language is other than English, and who because of language barriers and cultural differences do not have equality of educational opportunity."

And I think what you are being asked by the members of the committee is how do you determine that the language barrier and cultural difference in fact constitute a barrier to equal educational opportunity? Do you make that assumption, as Mr. Quie has suggested, simply because the dominant language is in the home? You may have two Ph.D.s' speaking a foreign language in the home, and it is hard for us to perceive how that kind of environment produces an automatic cultural barrier to education simply because of the language difference?

Mr. RIDGE. I think that when there is a desegregation plan, there it is told how many youngsters in the school district do not have equal access to the opportunity that other youngsters have, and on the basis of those figures they could submit a request for a bilingual program through Emergency School Aid on that basis, and through competition it could be awarded.

Mr. FORD. Mr. Ridge, I have a multiple question that I would like to go through with you slowly. Could you now or later for the record give us a breakdown on how the funds you are administering are distributed among the three purposes specified in the Emergency School Aid Act?

Mr. RIDGE. We can supply that for the record, sir, yes.

[The information referred to follows:]

The purpose of any ESAA Bilingual grant is to meet eduction needs of minority group children who are from environments whose dominant language is other than English and who are directly affected by the implementation of a plany for the elimination of reduction of minority group isolation. Of the $8.6 million available for these awards each proposal addressed all three purposes of the Act; however, most school districts tend to concentrate on the 1st and 3rd purposes, i.e. activities to meet special needs incident to the elimination of minority group segregation and to aid non-English speaking children overcome the educational disadvantage of minority group isolation.

Mr. Ford. What is your guess, just in round numbers, and we will let you correct the record?

Mr. Ridge. Would you state it again, please?

Mr. Ford. What is your guess in round figures of the proportions of the money that you are administering under the Emergency School Aid Act that are in the three primary functions of that Act?

Mr. Ridge. I cannot state a guess, sir. I am sorry. We have $8.6 million in the bilingual setaside.

[Additional information for the record follows:]

As stated before, these funds address all three principal functions of the Act, but less emphasis is given on the 2nd purpose, i.e. to encourage the voluntary elimination, reduction or prevention of minority group isolation.

Mr. Ford. Can you tell us how much of your funds are used for curriculum development and demonstration and how much for program operation?

Mr. Ridge. It would be a very, very rough guess, sir. I would say probably equal amounts, 30, 30, 30. But it is strictly a guess.

[Additional information provided for the record follows:]

The ESAA Bilingual programs are not designed to be developmental or demonstrative; they are designed to carry out activities which will help children, minority group children with language difficulties to have equal access in the educational process. While a school district is permitted to use up to 25 percent of its funds for developmental activities our experience is that there is very little or none used for this purpose. One of the main reasons for this is that Title VII, ESEA Bilingual funds are designed for programs to develop and demonstrate activities.

Mr. Ford. This is a little different question. How much of the money that you are spending in total are you using for curriculum development and demonstration and how much of it are you using to actually operate programs?

Mr. Ridge. 25 percent for development probably.

[Additional information provided for the record follows:]

Awards were made in the amount of $8.6 million. The entire appropriation was obligated in grant awards. None of the funds are used for administrative costs.

Mr. Ford. And the other 75 goes to operate programs?

Mr. Ridge. Yes, sir; that would be my guess.

Mr. Ford. Then, can you tell us whether there is any real difference in the types of programs you are funding and those funded under the Bilingual Education Act?

Mr. Ridge. I guess the difference is in the type of youngsters that we are servicing. We are servicing only those who are in a desegregating situation, and we are working where programs are being developed for improving the speaking, writing, and reading of English.

Mr. Ford. You don't really mean a different type of student?

Mr. Ridge. No, not a different type, but in a different situation.

Mr. Ford. And, lastly, could you tell us whether there are problems with duplicatory advisory councils resulting from the requirement for a bilingual advisory council under this provision of the Emergency School Assistance Act?

Mr. **Ridge**. There haven't been problems of duplicatory service, I don't believe.

Mr. **Ford**. I am not talking about duplicatory service, but do you have an extra council that is called for here? Does this create any problem?

Mr. **Ridge**. It doesn't create a problem. This council has been very active, and it takes a lot of time. They have had recommendations that have been worthwhile. I wouldn't say that it poses a problem, no, sir.

Mr. **Ford**. In a city like Detroit, for example, where the largest bilingual requirement is with Spanish speaking people, but the largest group of people who consider themselves to be a minority would be the black population, who sits on this council that is required by the bilingual portion at the local level?

Mr. **Ridge**. If it is 50 percent it would be divided among the minority groups. Mr. Macias, that 50 percent would be parents and--

Mr. **Macias**. And an advisory committee under the regulations closely parallels the ESAA committee, but it is not exactly the same. In this case of each minority group recognized by that school district would be entitled to equal representation.

Mr. **Ford**. You mean equal, or proportional?

Mr. **Macias**. I mean equal because you are talking about multiethnic--

Mr. **Ford**. So in a city like Detroit although the bilingual function would be almost entirely Spanish-speaking, the proportion of representation on the parent council would be very small because it is a very small part of the minority population in that city?

Mr. **Macias**. I am afraid I don't understand. It would have to be 50 percent of the committee, whatever the composition ethnically. It would have to be parents of the students in the program.

Does that answer your question, sir?

Mr. **Ford**. I am not sure. It doesn't match what you have just told me about proportional representation. You have, albeit very arbitrarily, a definition of minorities in that Act. One of the problems that many of us have had with it during all of its consideration was the statutory definition of people as minorities. First it was by race, and then the language that a person spoke was added and I think maybe beyond that was a question of whether it was a Spanish surname. That definition was used to determine the minorities who could participate in programs funded under the program.

Now you have a local parent advisory council in a city where the language minority is different than other minorities. How do you apportion the parental input between the obviously different interests that are involved? I would be surprised if the black community in Detroit was overwhelmingly concerned with the quality of the Spanish language bilingual program, but they are the dominant number of people and classed as a minority by that bill. They are no longer a minority in Detroit, but they are classed by the bill as a minority. How do you work that out?

Mr. **Macias**. In each particular individual school district the committee would be composed of equal numbers. Now, if that includes the blacks, I think if you look at our regulations, blacks do come into the regulations incidentally, they would be entitled. In a situation where you have three different groups it would be represented.

In a city such as San Francisco, say, where you would have quite a few other groups, then each recognized group would be entitled to representation, according to the provisions of the Act. For explanation, for instance, the regulations recognize orientals, which is a rather broad category. Within that category we might have to include Chinese, Philippinos, but they would be entitled to representation only as orientals because that is what the Assistant Secretary recognizes.

[Additional information submitted for the record follows:]

Advisory Committees for ESAA Bilingual grants pursuant to the current regulations are composed as follows: nominations must be received from at least five civic or community organizations which are broadly representative of the minority and nonminority communities to be served by the proposed program. At least 50 percent of the committee shall be parents of children directly affected by the program. In actual practice where two or more minority groups are being serviced each group is represented on the committee.

Mr. Ford. The law you are administering is somewhat different from all of the others that we have been talking about here today because the statute specifically defines several categories of people who for the purpose of that statute will be considered minority and the statute does not consider how many of them or whether they are a majority or minority of the numbers in the community, but the statute dictates that you will serve those specific definitions, one of them being oriental. I remember the progression of the bill here when each person with a different concern added another category. It clearly was originally a question of the black minority, and that changed over a period of time. But the statute ties you very tightly to the definition of who qualifies as a minority student for this kind of program. We are interested in how that is working in the real world, especially when you get to something like a parental advisory council, and how they cope with the statutory requirement against the realities of what exists—and particularly large school districts with a multi-cultural school population.

Perhaps you would like to reflect on that and give us something at a later date to put in the record on what, if anything, your shop does to find out whether this is working or not working.

Mr. Macias. We will address this at a later date in writing.

[The information referred to follows:]

The definition of minority group children in the Act has not posed a problem in the implementation of the Bilingual section of ESAA. A school district must be eliminating or reducing, through an approved desegration plan, the number of minority group children that are defined in the Act. If these children are not being reassigned there is no ESAA eligibility and since the bilingual program must deal with those involved in the reassignment the minority group definition section in the Act has not posed a problem.

Mr. Macias. It is a problem in quite a large number of cities. We have, for instance, brought up the question of Detroit. The Chaldean representatives there have asked that they be recognized as such. Obviously there is a procedure whereby recognition can be given, but up to this point under our legislation they are not a recognized group, and would not be entitled to representations as a minority group.

Mr. **Ford**. I assume we will get into this a little further with the next person on the panel, but in the statement submitted by Mr. Ridge it says:

"The Supreme Court in *Lau* v. *Nichols* affirmed the responsibility of local education agencies to comply with Title VI of the 1964 Civil Rights Act and HEW regulations issued in connection with the law. These regulations required that school districts take appropriate action to rectify the language deficiencies of children of limited or non-English speaking ability in such a fashion that they may enjoy equal access to the educational opportunities provided to all other students by the school system."

School people are telling us that that is in fact what you are telling them, and that is not the way I understand the *Lau* decision at all. I understand the Lau decision to say that you will provide educational opportunity without a barrier, and in fact that may mean teaching Chinese children in Chinese, but it doesn't say anything about teaching Chinese children to speak English. That is a relationship that has been brought to our attention by school people as putting them on the horns of a dilemma they are unable to solve.

Where do you find the specific authority for taking the position that rectifying language deficiencies is a requirement of the 1964 Civil Rights Act as interpreted by the Court? The Court simply said you will not put a kid in the classroom where he cannot understand the teacher. The Court didn't say you will teach him to speak English as a condition of complying with the Civil Rights Act, but you are apparently telling school districts that unless they have a bilingual program they will be in violation of Lau, and the purpose of bilingual is something a little bit different than the specific individual use form of discrimination that the Court found in the Lau case.

Mr. **Ridge**. Yes, we are using the Lau decision for authority to have a bilingual program to gain access for equal educational opportunity for the children in the classroom.

Mr. **Ford**. We will let this go until Mr. Henderson is on and maybe he can address himself to it when he is making his comments, but as a lawyer who has been out of practice for some time but has spent a good deal of time during all of the progress of the Lau case in trying to understand it, I am left somewhat confused by the imposition of such a regulation and can understand the discomfort that local school administrators are having in trying to meet this requirement that you place on them.

Do we have any other questions from the committee?

Mr. **Miller**. Just one, Mr. Chairman.

Mr. Ridge, in your statement you say:

"The specific purposes of ESAA bilingual grants are to enable local education agencies undergoing desegregation to help provide equal educational opportunity to children with language and cultural differences; for the purpose of developing or implementing bilingual/bicultural curricula to improve the reading, writing, and speaking skills of minority group children from environments in which English is not the dominant language; for training of teachers and other ancillary educational personnel; and to enhance mutual interracial and interethnic understanding."

Let me go back here to Dr. Molina's statement on page 2.

"Closely associated with these centers are 15 training/resource centers responsible for providing technical assistance to local education agencies setting up bilingual education programs. Such assistance takes various forms such as; curriculum development, teacher workshops, community information programs, and assistance to school administrators and boards of education."

A segregated school district would receive resource help under Title VII and has an advisory council, is that correct, in trying to remove these barriers? That district then comes under a segregation order. They turn to you for help, and you now set up another advisory council and you start developing materials with that district.

Mr. RIDGE. The advisory council is set up to develop the plan, but we could use them and we many times do use materials developed by Dr. Molina's Title VII centers.

Mr. MILLER. So then what is the purpose of the moneys which you expend? How do they differ? The barriers exist in a segregated school or non-segregated school district. What is the difference? What requires an additional unit or task force?

Mr. RIDGE. It is the time element. It can be a court-ordered district which needs services immediately. It can be a Title VI plan which needs services immediately to help these youngsters who are in this desegregating situation.

Mr. MILLER. Aren't you required in a segregated school district to provide these educational services to these youngsters to provide a bilingual education?

Mr. RIDGE. If it is not in compliance we are not required, no.

Mr. MILLER. I don't follow you.

Mr. RIDGE. We are assisting school districts to maintain a complaince stature, to get into compliance or to stay in compliance.

Mr. MILLER. A school district in the district I represent would be more inclined to come under a desegregation order because of the black population and how the resources are distributed. I would assume that they would already have a bilingual program in place. Then they come under a desegregation order. I don't understand how that changes the status of the students in that district.

Mr. RIDGE. The changes are, sir, they wouldn't apply for a bilingual grant. We are just talking about ESAA bilingual grants. There are only 32 of them in the entire Nation right now.

Mr. MILLER. I don't understand. They had nothing going prior to the order is what you are telling us.

Mr. RIDGE. Probably they did not.

Mr. MILLER. Probably, or didn't they?

Mr. RIDGE. I would say probably they did not. I would say they did not.

Mr. MILLER. You are dealing with a very specific case where prior to that order they weren't rendering any services?

Mr. RIDGE. I would think so.

Mr. MILLER. So it is a question of compliance.

Mr. **Ridge**. I think that is true probably in all 32 cases.

Mr. **Miller**. That is the distinction I was looking for because it doesn't make a lot of sense if you already have a program ongoing.

Thank you.

Mr. **Ford**. I wonder if when you are submitting the figures on how you are spending the money, you could give us a breakdown as to where you are in competition with or in compliance with the Title VII program, and where you are not.

Mr. **Ridge**. Yes, sir.

[The information referred to follows:]

The ESAA Bilingual money goes to school districts implementing desegration plans. A list of school districts funded in FY 1976 is herewith attached. Competition for these grants is limited to school districts that are implementing approved desegration plans and meeting the requirements under the Act. Eligibility requirements for Title VII, ESEA are totally different from the eligibility requirements under ESAA thus eliminating competition between ESEA and ESAA applicants. When it is possible for a school district to establish eligibility under both ESEA and ESAA Bilingual sections ESAA applications are forwarded to the Office of Bilingual Education, Title VII ESEA to prevent any duplication in bilingual funding.

[The information referred to follows:]

Emergency School Aid
FY '76 Funded Projects
Bilingual Grants

STATE: Colorado

APPLICANT	AMOUNT
Denver Colorado School District #1	$ 717,062
	717,062

STATE: Florida

Dade County S.B. Fla.	$ 990,000
Hillsborough County, Fla.	823,436
Palm Beach County S.B. Fla.	270,427
	2,083,863

STATE: Hawaii

Hawaii Dept. of Ed.	$ 199,228
Hawaii Co. Ec. Op. Council	208,604
	407,832

STATE: Louisiana

Evangeline Parish S.B., La.	$ 120,460
Iberia Parish S.B., La.	119,658
Jefferson Parish, La.	75,284
Lafayette Parish S.B., La.	102,493
St. Landry Parish School, La.	105,914
	523,809

STATE: Massachusetts

Boston Public School, Mass.	$ 539,427
	539,427

STATE: New York

CSD #4, N.Y.	$1,066,986
CSD #12, N.Y.	397,582
	1,464,568

STATE: Texas

Alice ISD, Tex.	$ 45,613
Donna ISD, Tex.	125,601
Eagle Pass ISD, Tex.	128,405
Edgewood ISD, Tex.	237,416
Harlingen CISD, Tex.	135,357

Edinburg ISD, Tex.	160,000
El Paso P.S., Tex.	188,081
Halandale ISD, Tex.	148,046
Mercedes ISD, Tex.	149,653
Pharr San Juan Alamo ISD, Tex.	179,823
Rio Grande City CISD, Tex.	155,652
Robstown ISD, Tex.	186,441
San Antonio ISD, Tex.	413,033
San Felipe Del Rio CISD, Tex.	95,873
Weslaco ISD, Tex.	249,500
West OSO ISD, Tex.	140,070
Zapata ISD, Tex.	124,875
	2,863,439

STATE: California

San Francisco SD	$ 548,450	Court order funded out ESA Special Project Transition Quarter Funds
	548,450	

SUMMARY

Total funded out of Bilingual Allocation	8,600,000
Total funded out of Special Projects Funds	548,450
GRAND TOTAL	9,148,450

Mr. **Ford**. This section got into the law in 1972 during a period when the Senate was tacking bilingual education amendments on to every program that came to us. It was not in the House bill, and we picked bilingual education up as a component of this Act and then it became a part of the overall Act. It is just a way to get more bilingual education, but we now are left with the question of whether that was wise, and whether or not you exist in a place where you are needed, or whether you exist in a place where you are on top or in the way or in competition with the other bilingual program. We would like to know how much money you are spending on it, and where and what would happen if we pulled your money out and put it in Title VII?.

Mr. **Ridge**. Yes, sir, we will respond to that.

[The information referred to follows:]

The $8.6 million available in ESAA funds provides a sum of money reserved for those school districts which are implementing a desegregation plan involving minority group students with English language difficulties. This means that school districts having this unique problem—desegregation/bilingual problems—have a place to compete other than under the State apportionment of the Act where competition is more intense and involves only those problems incident to the desegregation process. It is therefore clear that these districts apply for ESAA funds to solve a bilingual problem that does not exist in other school districts. Should these funds be withdrawn it would deny certain needy school districts the opportunity to solve these unique desegregation problems.

Mr. **Ford**. That I guess would ask for some statements against your own interest. Those are the kind of questions I think are being raised.

Mr. **Simon**. Mr. Ridge, I am trying to clarify my own thinking in this whole area. I see children moving into different situations, picking up language very quickly. The State Department personnel are stationed in Paris and all of a sudden their children are speaking French.

I also see in our country, a need for greater language study; generally, a need for my two children to be able to speak Spanish, French, German or whatever it is.

I also see that the law, as it is now written, too often results in segregation, that we, in fact, isolate these students who speak Spanish. Yet, I pick up the GAO report and it says too many English-speaking children were in the project classrooms thus diluting the progress for the other children.

Is the GAO wrong? Where should we be going?

Dr. **Molina**. Mr. Simon, we don't have the magic number of mixture of people that will be optimum. We have not arrived there yet. But we do know children learn from children. Education and learning is going on all around us. I personally feel from my own experience as an educator, it is a benefit to children to mix with other children. We ought to have English-speaking mixed with non-English-speaking children. The GAO was not suggesting, I don't believe, that we segregate the youngsters. They were saying we have too many dominant English-speaking in the classroom. In some districts, there is no choice. We have some programs going on in Arlington, Virginia, where the class is small. Many, many languages are represented, but none of any particular mix. It is a tough question to answer and come up with an optimum number.

Mr. **Simon**. In your opinion, should we change the law as it now exists?

Dr. **Molina**. I don't think so. I don't think we should tighten it up where we still have learning or creativity. We don't know enough at the present time to tighten it up and come up with a number. I have suggested to school district personnel it can't exceed 50 percent of English-dominant children in any one classroom. That is the best we can do at the present time.

Mr. **Simon**. As I understand, under the present law, you are not permitted to take my two children, who speak no Spanish, and put them in one of these classooms?

Dr. **Molina**. That is not correct. The law says they can be put into classrooms on a limited basis.

Mr. **Ford**. I think you would agree that the access of Paul's children should not be predicated on their wanting to learn an additional language.

Dr. **Molina**. Our focus is on the non-English children. But there is no question that the English-dominant children do pick up the non-dominant language from other children.

Mr. **Ford**. They are not there to learn the second language.

Dr. **Molina**. No.

Mr. **Simon**. If I might follow through, the law says that in no event shall a program be designed for the purpose of teaching a foreign language to English-speaking children.

I see nothing wrong with modifying the law so, in fact, we are doing two things at one time. The program is specifically designed to teach children who speak Spanish to learn English and English-speaking children be taught Spanish.

Dr. **Molina**. According to the amendments, we have programs in which instruction was being given to English-dominant in Spanish and vice versa. Both groups were learning a second language. Because of that sentence in the regulations, we don't fund any activity which tends to teach English-dominant children another language.

Mr. **Simon**. What you are calling the ideal is not possible under the present law?

Dr. **Molina**. That is correct.

Mr. **Ford**. I have to take exception to your last statement. In Puerto Rico you teach English-dominant children to integrate with the Spanish community to learn Spanish – the word "foreign" is in there which leaves the door open for the Puerto Rican population.

Dr. **Molina**. That was an atypical statement, Mr. Chairman.

Mr. **Miller**. Would it make sense in amending the law, to allow you to conduct what you call an ideal situation?

Dr. **Molina**. Yes. It would give us the authority to put into operation some programs we feel would be ideal.

Mr. **Miller**. Would you give Title VII funds for both students?

Dr. **Molina**. Yes.

Mr. **Miller**. You may at that point relieve a pressure point on the school district. I would be interested in the surnames of the students in those classes who are English-dominant. I don't think there are many Millers. I think the school district is under pressure to get full funding. Whereas, if they are under pressure to teach

English and Spanish, it would be based upon the need because, in effect, the classroom would be full either way. Certainly, where I come from, the need for Spanish is growing every day. Maybe this question of who is in the classroom would change.

Dr. **Molina**. I think you are right, Mr. Miller. What is important is how are the Federal funds being spent, not who is sitting in the classroom.

Mr. **Miller**. I agree, but I am concerned that people are sitting there so Federal funds will be spent. It should be why are they there.

Mr. **Ford**. Dr. Lloyd R. Henderson, Director, Elementary and Secondary Education Division, Office For Civil Rights.

Without objection, the prepared statement will be inserted in the record at this point.

[The prepared statement of Dr. Henderson follows:]

Statement of

Lloyd R. Henderson
Director
Elementary and Secondary Education Division
Office for Civil Rights

Elementary, Secondary
and Vocational Education Subcommittee
Committee on Education and Labor
House of Representatives

June 7, 1977

STATEMENT OF DR. LLOYD R. HENDERSON, DIRECTOR, ELEMENTARY AND SECONDARY EDUCATION DIVISION, OFFICE FOR CIVIL RIGHTS

Mr. FORD. You may proceed to expand as you prefer.

Dr. HENDERSON. As you know, the responsibility of the Office For Civil Rights is to enforce Title VI of the Civil Rights Act of 1964, which prohibits discrimination on the basis of race, color, or national origin in federally assisted programs and activities. In enforcing Title VI with respect to school districts which enroll national origin minority group children, the office has of necessity engaged in the process of reviewing proposed plans to remedy the discriminatory effects of language barriers when discrimination has been found to exist.

We began to investigate school districts with large proportions of national origin minority children beginning about 1969 and as a result of those investigations and as a result of some educational studies and reports, the Office For Civil Rights issued a policy statement on May 25, 1970, which set forth the following standards: (See Appendix 7-A)

1. Where inability to speak and understand the English language excludes national origin minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to open its instructional program to these students.

2. School districts must not assign national origin minority group students to classes for the mentally retarded on the basis of criteria which essentially measure or evaluate English language skills; nor may school districts deny national origin minority group children access to college preparatory courses on such a basis.

3. Any ability grouping or tracking system employed by the school system to deal with the special language skill needs of national origin minority group children must be designed to meet such language skill needs as soon as possible and must not operate as an educational dead-end or permanent track.

4. School districts have the responsibility to notify adequately national origin minority group parents of school activities which are called to the attention of other parents. Such notice, in order to be adequate, may have to be provided in a language other than English.

On January 21, 1974, the Supreme Court upheld the requirements of the May 25, 1970, memorandum in the case of *Lau* v. *Nichols*.

Following that decision, using data we had collected in the elementary and secondary survey, the Office For Civil Rights identified 334 systems which had substantial numbers of national origin children but which were providing special language instruction to fewer than 10 percent. (Attachment A)

To assist in this investigation, we developed a special questionnaire designed to provide sufficient information. In general, the questionnaire asked school systems to identify children whose home language was not English and their language capacity in each language, how the children were identified, the type of materials and curriculum provided and the number of teachers providing special language instruction.

Mr. **Ford**. If I might interrupt you here. I know Mr. Quie has problems with this and I have problems with what you have just said. In your regulations you identify the child as coming from a home where English is not the principal language.

Dr. **Henderson**. One of the factors a school system must identify is the language spoken in the home.

Mr. **Ford**. Does it bring into consideration the lack of proficiency in a classroom?

Dr. **Henderson**. Yes. But in order to notify parents about PTA meetings, et cetera, they have to know what language is spoken at the home.

Mr. **Ford**. You use the language spoken in the home to qualify the child. You say that only 10 percent of the children coming from non-English-speaking homes were identified. I suspect in some big city school districts you would find a substantial number of children who go home and speak Polish at night, or Arabic, who, nevertheless, have been born and raised in a community where their English language skills are equal to their peer group.

What governs whether or not a school district is complying? Whether they are meeting the needs as to the learning disability or the numerical figures you get by taking a census?

Dr. **Henderson**. That was no more than a decision asking the school districts to specify the languages and what assistance they were providing to these students. The 10 percent figure was simply a triggering device to identify school systems which would receive the questionnaire. What the school districts are required to comply with is the May 25, 1970 memorandum which states that where there is an inability to speak and understand English, districts must ensure effective participation of National Origin children in educational programs.

If Polish is spoken in the home, and the child speaks Polish and English, and is performing at grade level, the district has no compliance problem.

Mr. **Ford**. The problem presented to us by school people is how they determine whether they are in compliance with your regulation or not. They feel the logical objective is to determine whether or not there are children who show up for school who are having trouble operating under the English language. You are suggesting beyond that question is the question of the family and the environment?

Dr. **Henderson**. I am suggesting the same thing. If Polish is spoken in the home and the child learns perfectly well in English, there is no problem.

Mr. **Ford**. Don't your regulations suggest to a school district they must meet some type of test based on what their census tells them as to the language spoken primarily in the home?

Dr. **Henderson**. That is one of several things a school system has to identify. The language the student learns best in is the determining factor. If the student best learns in English, that is the language the student should be taught in.

Mr. **Ford** If 20 percent of the children in Hamtramck, Michigan, are in homes where Polish is spoken in the home and very few of them are experiencing learning difficulties because of their leaning difficulties, is Hamtramck in compliance or not because five percent are Polish, and they have no program?

Dr. **Henderson**. There is no compliance problem. The school district may have obligations to send notices home to parents who speak no English but as far as the student there is no compliance program.

Mr. **Quie**. It is my understanding you have to have two or three apply, you only observe them in the home and when you talk to the parents and when they take a test, then English in itself is not sufficient in and of itself as to compliance?

Dr. **Henderson**. What we are talking about now is the document called "Lau Remedies." (See Appendix 7-B). The "Remedies" are applicable only after a school district has been found to be in noncompliance with Title VI because children unable to speak or understand English are denied effective participation in the school program. We must first obtain evidence they are unable to learn in English. Then, once we have that, a school system must remedy the situation. One of the things the system must do in identifying the language in which it is best to teach the child is to identify what, in fact, is spoken in the home. That is one of the factors to be considered. It is not a standard for determining compliance.

Mr. **Quie**. Can the standard be testing only?

Dr. **Henderson**. If the children are learning math, social science and the required courses at a similar level to other children and those are measured by tests, certainly. As long as they are progressing similarly to many other groups in the school and they are being taught English, the district is in compliance.

Mr. **Quie**. Is it normally done by testing or by observation?

Dr. **Henderson**. If you are talking about tests in mathematics and social studies, yes, those are tests given by teachers. There are also standardized achievement tests given at the end of the year. That's how students are measured

Mr. **Quie**. What do you require of the school districts? Do you require they prove it by testing? At first you said yes. I was wondering how you determine.

Dr. **Henderson**. Based on the material submitted to us in response to the questionnaire we sent out to some 330 school systems. The questionnaire asks: how many children speak a language other than English? How well are they performing in school? What are you doing for them?

Mr. **Quie**. It is whatever the school uses in testing in making the determination?

Dr. **Henderson**. If I understand your question, yes, sir.

Mr. **Quie**. I am trying to find out if you prescribe a test or use only what they submit?

Dr. **Henderson**. It is only what the school system uses to advance students. If they are progressing similar to other children, we are satisfied.

Mr. **Ford**. I am looking again at the Epstein article (See Appendix 8-a) which quotes from the *Lau* decision, "Giving instructions to this group is another. There may be others." Then he goes on to say, "After the *Lau* decision however, the Office For Civil Rights assembled a task force of bilingual-bicultural education advocates. The members drew up what are known as the 'Lau Remedies,' which were approved by the civil rights office and the Office of Education and issued in the summer of 1975. These 'remedies' declare that, if school districts found in violation of *Lau* have 20 or more students from any non—English language group they must provide bilingual-bicultural education for the bulk of the affected students—unless the school districts can prove that another approach would be 'effective'."

From the Lau decision you have to show, in fact, there is a barrier which constitutes violation of the Civil Rights Act as augmented by regulation. The court said you had to meet the tenets of that regulation in whatever method may be appropriate. But it is left up to the school district, in effect, to determine the appropriate way to give equal access to education creating no presumption one way was a better way than another. But your regulation does create a presumption that first you either meet this requirement or show affirmatively there is a better way to do it. One of the superintendents who is having trouble with you is quoted later, "How can you prove something is equally as good as something else which nobody has proved the worth of? You come to a logical dead end on that one immediately."

Once again, the question is coming up as to whether or not in an attempt to meet your rather restricted interpretation of the import of *Lau*, you are not imposing a condition on the school district not intended by the court.

Dr. HENDERSON. I am not a lawyer.

Mr. FORD. In shorthand, you are saying if you have 20 or more kids of a particular group you must have a bilingual program for them?

Dr. HENDERSON. No.

Mr. FORD. What else can you do if you don't have a bilingual program?

Dr. HENDERSON. First, there has to be a finding, based on evidence, that the school system is in noncompliance with Title VI. Children who don't understand English are being held back. If that finding exists, then the school system is obligated to submit a remedial plan. A part of that is to identify what, in fact, the children need; what will enable them to learn the core subjects. While they are learning English, the best advice we could give would be that the core subject be taught in a language they understand until they are able to function in English if that answers your question.

I do want to point out that Mr. Epstein is mistaken when he says that the office requires bilingual/bicultural education. We do not. We will accept such a plan as a corrective remedy. We do not, however, require any form of bicultural instruction.

Mr. FORD. You may proceed.

Are you through?

Dr. HENDERSON. Yes, I think so.

Mr. FORD. We interrupted you,

Dr. **Henderson**. I think we pretty well covered what else I was going to say.

Mr. **Ford**. The gentleman from Illinois.

Mr. **Simon**. First, a very general question. Does your office, for example, work closely with the office of Dr. Molina on these kinds of problems, if I may address the question to both of you?

Dr. **Henderson**. We don't work as closely as we should. We are not a granting agency. We enforce the nondiscrimination requirements of Title VI.

Mr. **Simon**. Dr. Molina.

Mr. **Ford**. The question is do you work with Mr. Ridge and his program.

Dr. **Henderson**. Yes, we do, very closely.

Dr. **Molina**. Mr. Simon, we have conferred with the Office For Civil Rights on a number of occasions. They do notify us immediately when a district is out of compliance and we have had many discussions on this issue. In addition, we share our information with the Office For Civil Rights, particularly our data that we collect from school districts.

Mr. **Simon**. So that there is a reasonably good, practical working relationship in your opinion?

Dr. **Henderson**. Dr. Molina is correct, we do obtain the data school systems submit and which concern the needs of school systems. The material is used in making compliance determinations.

Mr. **Simon**. And then just an observation here. I read the rest of your statement here, Dr. Henderson, and I notice on page 11 you say:

"There is a critical need for more research to establish definitively what works and what does not work–which programs serve to overcome the discrimination on the basis of English language barriers and which programs prove to be ineffective."

We have heard testimony here today that in fact the ideal program is one that is prohibited by law where you have students learning Spanish and Spanish students learning English.

Dr. **Henderson**. That would not be prohibited by Title VI.

Mr. **Simon**. Not by Title VI, right.

I have no further questions, Mr. Chairman.

Mr. **Ford**. Mr. Quie.

Mr. **Quie**. Thank you, Mr. Chairman.

Going back then on whether they are in compliance or out of compliance, you have to have 20 students or more of the same language who aren't doing as well, is that part of being in or out of compliance, or is this after they are out of compliance?

Dr. **Henderson**. That is after they are out of compliance. If there are 20 children in a language group then a plan that the school system would submit would have to provide for those children.

Mr. **Quie**. How many such students does there need to be before they are out of compliance?

Dr. **Henderson**. Yes, sir.

Mr. **Quie**. And below average?

Dr. **Henderson**. Pardon?

Mr. **Quie**. And only that they are below the average of the other ones or below a certain level or what? What is it that they have to not be able to do?

Dr. **Henderson**. Where the children are unable to speak and understand English and they are being held back from participating in the regular school program.

Mr. **Quie**. How do you tell whether they are held back or not?

Dr. **Henderson**. Well, it is very difficult when you start with one child, but when you are dealing with large groups of children you can reach norms as to educational achievement.

Mr. **Quie**. I realize that, but I thought I understood that one person could cause you to be out of compliance.

Dr. **Henderson**. I think that would be correct. If a child who doesn't understand English is being held back because he doesn't understand English, that is noncompliance in my judgment. I don't know this could be proven easily.

Mr. **Quie**. I don't understand how far he has to be held back. Granted if he is up with the average of his class he isn't being held back.

Dr. **Henderson**. It would have to be substantially less than the rest of the class.

Mr. **Quie**. You don't know how much?

Dr. **Henderson**. No, sir.

Mr. **Quie**. And if there are a large number of them how far do they have to be to be behind?

Dr. **Henderson**. I really don't know.

Mr. **Quie**. I would like to find out.

Dr. **Henderson**. They are not progressing at the same rate.

Mr. **Quie**. The gentleman talking maybe can answer if he would identify himself.

Mr. **Rodriguez**. What we would prohibit is failure of a school system to provide equal educational opportunity due to the language barrier. For example, where the child is reading below grade level because reading is presented in English, only if the skills were tested through the native language the child would be a year ahead, that would be discriminatory. In such a case, the child has the skill but it is not evidenced.

In other words, you cannot test math through an English math test if the child doesn't speak English. If you administer the math test in a language the child understands he could be scoring at 5.5 rather than 4.3 on an exam conveyed in English.

Mr. **Quie**. So he has to prove that he is doing as well in Spanish as the other students?

Mr. **Rodriguez**. In other words, what the law says is that the educational deficiency has to be due to the English language; that you are blocked from getting what is required of all of the students because you don't speak the language through which the subject matter is being presented. There is not equal access to educational opportunity when there is a language barrier. The means through which the subject matter is being presented is not understood by the students. Then there is a violation. But initially on the analysis questionnaire we don't take any action if there are less than 20 in the school system that have limited English speaking ability.

You could have more than 20 children with a primary home language of Polish but you would only be concerned if they could not speak English and could do better in Polish.

If an individual were to file a complaint, we would then do an investigation and look to make sure that the student was at least one year behind.

Mr. FORD. Would you yield?

Mr. QUIE. Yes, I yield.

Mr. FORD. On page 5 of your statement you say:

"As a result of this analysis and the Supreme Court's decision in *Lau* v. *Nichols*, the Office decided that a more comprehensive and effective effort would be required to ensure that school districts were complying with Title VI."

Then you talk about reports that went out on January 17 to several Chief State School Officers who were asked to assist you in securing additional information from 334 school districts identified in the analysis:

"A special survey form was developed in which the districts were asked to identify the number of students whose primary or home language was not English," and then almost parenthetically you say, "And to provide other data", suggesting it is not quite as important as the primary information, "such as the language capacity of these students in each language, the number of teachers providing special language instruction and the number of students receiving such instruction, the types of instructional materials and curricula provided to these students, and the nature of any tests used for student placement, screening, or program evaluation."

You have examined 275 of the districts and made determinations of compliance or noncompliance on the basis of this survey sheet that was sent out to the school districts. You made that determination in 222 cases. One hundred fifty one districts following your determination have submitted corrective plans, and you have approved 126 corrective plans.

So what you actually did with that memorandum is something more than advise people who were not in compliance. You went out looking for people who were not in compliance and then made a determination of noncompliance apparently on the basis of what they said on this form. Is that correct or not? That is the impression your statement gives.

Dr. HENDERSON. Yes, sir.

Mr. FORD. And you have determined that out of the 222 cases of those that you said were in noncompliance, with only 151 of them having submitted corrective plans, only 126 of those 151 were sufficiently corrective plans to put them back in compliance.

Are the school districts that do not have their corrective plans submitted to you or approved by you in danger of losing Federal aid for noncompliance with Title VI?

Dr. HENDERSON. If we are unable to come to an agreement, yes, sir.

Mr. FORD. By when?

Dr. HENDERSON. They would be offered a hearing in which both sides would attempt to prove their case.

Mr. FORD. But if the memorandum is in fact in the form that you describe it in the short paragraph, how do they show you compliance? Could you give me an example of somebody who has submitted a plan that is not in compliance?

Dr. **Henderson**. The instrument that was sent to the 334 school systems obtained information of their current practice upon which we could make a decision of whether or not they were complying with Title VI. If we found them in noncompliance on the basis of the questionnaire, which I would like to submit for the record, then they had to develop a remedial or corrective plan. The plan in general would follow the outline of the "Lau Remedies" in first identifying the children and their educational needs and the strategy the school system would follow in addressing the needs, plus an evaluation program of how well the plan is working.

[The information referred to follows:]

Mr. **Ford**. Then in your discussion with Mr. Quie in which you said that the requirements for compliance were only imposed after there was noncompliance with Lau, we were not talking about a situation similar to Lau where there was a complaint, but you are now talking about people who would be found in noncompliance with this memorandum that was sent to the school districts? If you make a determination on the basis of that memorandum, they will then have to meet the requirements that you were discussing with Mr. Quie to get into compliance?

Dr. **Henderson**. Yes, sir, if they are found to be violating the memorandum of May, 1970.

Mr. **Ford**. Have you ever used this technique to determine Title VI compliance before on this basis?

Dr. **Henderson**. Essentially the questionnaire solicits information we obtain when we conduct an on site review of a school system. The questionnaire simply asks the school system to submit the data to us themselves.

Mr. **Ford**. But every application that a school system submits for Federal funds has a whole series of questions that are on it for the express purpose of determining compliance with Title VI of the Civil Rights Act, and that has been the case for many, many years. With respect to the particular question or problem raised about language barriers under the Civil Rights Act, are you going a step further, and not contemporaneous with the application for funds or read in context with the purpose of the funds, are you asking them in general what they are doing since the Supreme Court talked about *Lau?* Maybe that is the reason I am having some difficulty with what it is you want them to comply with. Is that an accurate statement or not?

Dr. **Henderson**. I am not aware of a substantial amount of data on funding applications that we can use to make a determination of compliance with Title VI. The only data that I am aware of is a simple statement that the school system is in compliance. The Emergency School Aid Act does ask for certain data. Basically we enforce Title VI starting with a survey that we send to a certain number of school systems.

Mr. **Ford**. If I may, there are some 16,000 school districts. Thirteen thousand of them are Title I recipients, who have been over the years your principal focal points in civil rights Title VI enforcement. How did you arrive at the 334 who were placed under the obligation of making the *Lau* disclosure, if we can call it that? How were they selected?

Dr. **Henderson**. We selected the 334 based upon civil rights data that approximately 8,000 school systems furnished in 1972. The survey identified children by race, ethnicity, asked how many were receiving special language instruction.

Mr. **Ford**. Who made that census?

Dr. **Henderson**. The Office For Civil Rights. It was an annual elementary/secondary civil rights survey asking for various data on race and ethnicity.

Mr. **Quie**. Mr. Chairman, I am going to leave. I still want to understand. I think I understand what causes a school district to be out of compliance. I would like to see the difference between that and how many you require to be in a program when you find them out of compliance.

Dr. **Henderson**. What children we require to be in the program?

Mr. **Quie**. Yes. The way it is now it is the one who is not doing as well in English but does as well as his peers in the other language. It seems to me you go much further than in requiring them to have a special program, so if you could put that in the record.

Dr. **Henderson**. Surely. (See Appendix 7-c.)

Mr. **Quie**. Because it isn't too clear to me.

Mr. **Ford**. We are going to have to move on. There is a vote which we may yet be able to make. We will attempt to get someone back here to continue with the next panel.

I want to thank each and every one of you, and suggest that there will be additional questions coming from members of the committee that we would like to have your response on so that they can be included in the record with your statements made this morning.

Thank you very much for your cooperation, and please accept our apologies for the fact that we must leave to go for a vote on the Floor.

[Brief recess taken:]

Mr. **Jennings**. Dr. Danoff, why don't you begin?

STATEMENTS OF DR. MALCOLM DANOFF, DIRECTOR, BILINGUAL STUDIES CENTER, AMERICAN INSTITUTES FOR RESEARCH; MICHAEL O'MALLEY, MULTICULTURAL/BILINGUAL DIVISION, NATIONAL INSTITUTE OF EDUCATION; DR. ALBAR PENA, SCHOOL OF EDUCATION, UNIVERSITY OF TEXAS AT SAN ANTONIO

Dr. **Danoff**. I would like to present to the committee some of the major findings to date of the Impact Study of the ESEA Title VII Spanish/English Bilingual Education Program which the American Institutes for Research has been conducting under contract with the United States Office of Education since 1974. (See Appendix 3). This study has as one of its major goals the assessment of the impact of the overall program across the Nation. In essence, the question asked under our evaluation mandate was whether the program was achieving its major goal of assisting children of limited English speaking ability to achieve competency in English while allowing them to progress in other school subjects, such as mathematics, through the use of their native language.

The evaluation collected student and teacher data on a sample of classrooms in all 38 Title VII Spanish/English bilingual education projects that were in their fourth or fifth year of funding as of fall 1975. These particular Title VII projects were selected for study because they would have had sufficient time to develop and to refine their approach to bilingual education. Participation in the evaluation was voluntary. Approximately 5300 Title VII students, in 286 classrooms, in 117 schools, in 38 projects were included in the Impact Study.

Following the publication of our reports covering the first year's data collection and the findings to date, various reviewers have raised questions about some of the findings. Therefore, to provide further clarification of the major issues that were raised, I have included some notes along with the findings. The findings can be grouped into several major question areas:

What kinds of students were participating in the Title VII projects?

As has already been pointed out this morning, approximately three-quarters of the students enrolled in Title VII Spanish/English classrooms were of Hispanic origin.

Less than a third of the students in Title VII classrooms were there because of their limited proficiency in English.

For students of Hispanic background, 35 percent in the second-grade Title VII classrooms were there because of their limited proficiency in English. For grades three, four, five, and six, the corresponding percentages were respectively, 30 percent, 30 percent, 19 percent, and 27 percent.

Approximately 60 percent of the Title VII second graders were judged by their teachers to be English monolingual or English-dominant bilingual. The same was true of the third-graders. Approximately three-quarters of the fourth, fifth, and sixth-graders in the bilingual classrooms were judged to be either English monolingual or English-dominant bilingual students. Only 16 percent of the total Title VII enrollment was Spanish monolingual.

Note: These findings were based on responses of each student's teacher as to the reason the student was in the Title VII bilingual program. They were also based on an examination of the number of students assigned a particular linguistic test and questionnaire package by the student's teacher. Teachers assigned a test and questionnaire package to a student so that the tests and questionnaires completed by that student would be appropriate to his/her level of language competence in English and in Spanish.

An issue was raised today about the competency of a teacher to make this kind of a decision. It is our feeling that since teachers work with the students on a day-to-day basis they are usually in a good position to make such judgments. Title VII teachers certainly make such decisions daily in organizing their classrooms into instructional groups and in attending to the needs of individual students. It is also of interest to note that most if not all student language dominance tests are validated against such teacher judgments.

How experienced were the Title VII teachers and aides in bilingual education?

The general level of training of Title VII teachers is indicated by the finding that approximately 80 percent of the teachers had a regular or a bilingual teaching credential, and some 30 percent reported having a master's degree.

Almost all of the teachers and most of the aides had been involved with inservice or district workshops in bilingual education and had taken course work in bilingual education.

In terms of experience with bilingual education, two-thirds of the teachers and two-thirds of the aides had two or more years of bilingual teaching experience.

Approximately two-thirds of the teachers and almost all the aides indicated that they spoke both Spanish and English in their homes.

What were some general characteristics of the Title VII projects?

The number of students served by individual Title VII projects ranged from 200 to 5000, with approximately half of the projects serving between 200 and 500 students each.

One concern that was expressed during our planning year by the advisory panel was the stability of the project operation. We found that project management was generally stable over the four or five years of operation. Only ten percent of the projects had had more than two project directors; about half had had two directors; and, one-third had had the same director since the project's inception.

Although the intent of the ESEA Title VII legislation is for projects to focus upon students of limited English-speaking ability, approximately 85 percent of the project directors indicated that Spanish-dominant students remain in the bilingual project once they are able to function in school in English. Only five percent of the project directors indicated that a student transferred to an English-only classroom once the student learns English well enough to function in school.

I believe that Dr. Molina suggested that perhaps there wasn't enough data provided about this item, and I can present now some additional information, and that the study has a volume 2.

Note: This finding is further supported by the detailed project descriptions prepared by AIR Impact Study staff during site visits to each project. These descriptions were based on in-depth interviews with project directors, teachers, and district personnel as well as on direct classroom observation.

For students enrolled in the Title VII projects, per pupil costs from Title VII funds ranged from $150 to $739 with an average of $310. When other non-district funds were added, the total non-district-supported per pupil costs for Title VII students ranged from $321 to $984, with an average of $531. When the total non-district costs were added to the basic district per pupil cost, the grand total per pupil cost for Title VII students ranged from $1,127 to $2,120 with an average of $1,398. The grand total per pupil cost for non-Title VII students ranged from $992 to $1,534, with an average of $1,022, or about $375 less.

What was the impact of the Title VII program on student achievement and attitude toward school?

In general, Hispanic Title VII students performed no better than non-Title VII Hispanic students in English Language Arts. In fact, achievement gains in a majority of the grades studied favored non-Title VII Hispanic students.

With respect to national norms, the relative standing of Title VII white non-Hispanic students in English Language Arts declined slightly between pretest and posttest for almost all of the grades involved in the study.

With respect to national norms, the relative standing of Title VII black students stayed the same or increased slightly in three of the five grades included in the study.

Title VII Hispanic students at each grade level generally performed better than non-Title VII Hispanic students with regard to mathematics computation. However, on the average both groups generally either maintained or improved their percentile rank from pretest to posttest. They were generally performing at the 30th percentile on national norms.

White non-Hispanic and black students in Title VII classrooms demonstrated positive gains relative to national norms in computational skills in mathematics.

For Title VII Hispanic students, posttest achievement in Spanish reading exceeded that measured at pretest; however, because there was no way to estimate how well such students would have scored in the absence of a Title VII bilingual education program, the extent to which such gains should be attributed to the program is not clear.

Participation in a Title VII project did not affect attitudes toward school-related activities.

Note: Initiated in 1974, the Impact Study was, like most other large scale national evaluations of special Federal educational programs, implemented several years after the program had begun. It is well known among the educational research community that such a situation causes problems related to the evaluation of program impact because students have been in the program for several years before the national assessment begins. Not beginning the evaluation until several years after the program has begun does not make evaluation impossible. It does, however, make it considerably more difficult to estimate the full impact of the program. In this regard, we would like to recommend that Federal legislation authorizing new educational programs include a requirement that the program and all funded projects–participate in a vigorous national evaluation from its beginning.

Summary and Conclusions:

The interim results from the first year's data suggest that in terms of one of the major goals of the ESEA Title VII legislation–that of having students of limited English-speaking ability achieve competency in the English language–the projects which have been operating four to five years were not on the average generally effective during the 1975-1976 school year.

However, in terms of permitting students to progress in mathematics, the Title VII projects were able to bring about consistently encouraging results at all grade levels in math.

While no appropriate norms or comparison groups were available to assess the relative impact of Title VII on the acquisition of Spanish language arts, there was an increase in the scores on the Spanish reading test between the pretest and the posttest for Title VII Hispanic students.

No clear trend was found which would indicate that participating in Title VII brought about an increase in positive attitude toward school.

There seems little doubt that most of the students in the Title VII projects included in this evaluation generally were not performing in English reading and vocabulary at expected educational levels. While the exact percentiles vary among grades, the students were achieving in English language arts at approximately the 20th percentile relative to the national norm, both when tested in the fall and in the spring. This overall level of performance in English reading was not a result of large numbers of Spanish monolingual students being in the program. Rather, the majority of the students were classified by their teachers as being bilingual or English monolingual. What these findings suggest is that while most of the students in the Title VII program are bilingual or English monolingual, they are not generally literate in English. While their present level of proficiency in reading English suggests that additional instruction would be necessary to bring these students up to grade level in English reading, there is no compelling evidence in the current data of the Impact Study that Title VII bilingual education as presently implemented is the most appropriate approach for these students.

Impact Study Reports:

The following reports related to the Impact Study are currently available from the Office of Planning, Budgeting, and Evaluation, U.S. Office of Education, 400 Maryland Avenue, S.W., Federal Office Building #6, Washington, D.C., 20202. They should also be available soon from the ERIC Documents Reproduction Service:

Evaluation of the Impact of ESEA Title VII Spanish/English Bilingual Education Program, Volume I: Study Design and Interim Findings (AIR Report 48300-2/77-FR(III).

Evaluation of the Impact of ESEA Title VII Spanish/English Bilingual Education Program, Volume II: Project Descriptions (AIR Report 48300-2/77-FR(IV).

Now, before a final statement I would like to address what I believe to be some of the concerns related to the study based on critiques by other organizations. One concerns the comparison group students.

First of all, we will be looking further into the issue for the fall. This is our lack of good comparison students. We will be looking into this problem for our final report. Perhaps more importantly, most of our data is not dependent on the comparison school analysis. The current status of the Title VII students in English and math independent of the comparison school analysis shows the 20 percentile in English reading and 30 in math.

I have already covered, I believe, our concerns and suggestions related to teacher adequacy judgment. I might point out the teacher in the Title VII classroom is required to make decisions daily and place students in English as a second language, Spanish as a second language, math instruction in either English or math and English instruction for native English speakers. It would seem to me a teacher required to make those decisions has to be competent to decide what language the student is speaking.

One of the other issues brought out is the question of the high proportion of projects with maintenance programs. An example of Volume 2 will bear out the fact that almost all the projects did, in fact, have as a goal, this maintenance concept. I will quote a few from some of the projects. One project was to assure students from English-speaking environments they will have a command of both languages.

There is the goal of full maintenance program rather than remedial effort in this project, the designs to achieve 50 percent English and Spanish instruction in use by grade 3 or 4.

In one program, students who spoke English without an accent but were native Spanish speakers were enrolled in the program.

In another area, all students in the attendance area automatically entered the bilingual project. Parents may request transfer to another school. The goal is to learn both English and Spanish. In another project, in the 5th grade, students, regardless of ethnic background, received bilingual instruction.

Another project, to build a standing Spanish language program. Another to provide a site where observers may observe a full service program in action. An examination of Volume 2 will show that, indeed, the project directors felt that way and, in fact, are implementing that kind of program.

I realize the impact studies are coming in the midst of a recent Rand study conducted and the other is based on our own experience during a recent briefing for OE and other offices about the impact study.

In a 1975 study for the Office of Education, the Rand Corporation reported: "There might be cheaper and more effective ways to meet the needs at which bilingual education programs aim. But the political test is potency—the ability of the claimant to win large-scale support from Congress and thereby the political respect, however reluctant, of school districts that formerly could ignore their demands. Forcing the districts to teach in Spanish is a test of that potency and thereby contributes to the transcending aim—increasing the social self-respect and political power of Mexican Americans and Puerto Ricans, children and adults alike."

During our briefing to HEW, one of those prescepts was disturbed by our findings and said just wait until the enemies of bilingual education get hold of your study. I commented then and now, I would certainly prefer and hope the results would come to the attention of those who are truly concerned with the educational welfare of the students.

Thank you.

Mr. JENNINGS. As with Dr. Danoff, Dr. O'Malley, your testimony will be included in the record.

[The prepared statement follows:]

Testimony for the Subcommittee on Elementary,
Secondary and Vocational Education of the
Committee on Education and Labor

Honorable Carl Perkins, Chairman

House of Representatives

June 7, 1977

J. Michael O'Malley
Senior Research Associate
National Institute of Education
Department of Health, Education, and Welfare

Mr. Chairman, Members of the Subcommittee:

My name is Michael O'Malley and I am a Senior Research Associate with the National Institite of Education. I appreciate the opportunity to discuss the National Institute of Education review of the interim report of the ESEA Title VII Spanish/English Bilingual Program Impact Study. The Impact Study is being conducted by the American Institutes for Research (AIR) for the Office of Education. The NIE review of the interim report was performed at the request of the Director of the Office of Bilingual Education. Our primary focus is on the methodology of the AIR study. My testimony will address some of the basic issues raised in the full technical review, which I am requesting permission to include in the records of these hearings.

The AIR study is important for a number of reasons. First, since Title VII was originally funded in 1968, no comparable study on such a large scale has been performed. Although evaluations have been performed by individual local education agencies, the data resulting from these evaluations are best viewed as case studies because no method has been determined to aggregate the information. Second, the AIR study was performed with reasonable cautions to assure validity of the results, such as only selecting projects that had been in operation for at least four years, and using an advisory panel comprised of individuals representing various ethnic and linguistic groups as well as different types of professional expertise. Third, the study addresses both the cognitive and affective outcomes of the program in grades two through six consistent with expectations that bilingual education produces results at these grade levels. And finally, the study is timely insofar as the results are available when the Congress is deliberating on the future of the Bilingual Education Act.

Our review raises two basic questions about the AIR interim report. First, are the conclusions reached in the report accurate? In reviewing the study we cite a specific conclusion from the interim report, analyze whether the procedures warrant reaching that conclusion, and recommend additional analyses that could clarify the accuracy of the conclusion. The second basic question is as follows: are the conclusions damaging to Title VII either by showing that Congressional intent is being violated or that the program as legislated does not work? For this question we analyze the implications of the AIR study and determine whether those implications are reasonable.

These two basic questions have led us to focus on the following set of issues drawn from the AIR interim report:

- What kinds of students are being served?
- Are the programs producing the expected English language and affective outcomes?
- What kinds of programs are being implemented?

One of the first major conclusions of the AIR study concerns the nature of the student population served by Title VII, and is stated as follows:

- less than a third of the students of the Title VII classrooms were there because of their limited English speaking ability

An analysis of the procedures on which the conclusion rests reveals that students in the Title VII program were classified as limited English speaking *primarily* by teacher judgment from a roster of names. Available research on the classification of students as limited English speaking is insufficient to verify that teachers can reach accurate judgments about English language proficiency from a list of names at the onset of the school year. In spite of the uncertain grounds on which this conclusion rests, pretest information on English language proficiency for these students indicated that on the average they did not perform as well as students judged by teachers to be more proficient in English.

Let us assume the accuracy of the conclusion that one-third or less of the students in Title VII classrooms are there because of limited English-speaking ability. Does this indicate that Congressionally intent to target Title VII on students who are limited English speaking is being violated? We conclude that there is insufficient information to suggest a violation of Congressional intent based on the following considerations. The projects included in the study were all in their fourth and fifth year of operation and by no means represent a sample of all Title VII projects. Furthermore, these projects could easily target services on the one-third limited English speaking students by using individualized instruction, instructional grouping, or pull-out programs. The one-third ratio may even be a desirable ratio to permit limited English-speaking students the opportunity to interact with students who are more proficient in English. Finally, arranging classrooms exclusively composed of limited English speaking students is prohibited by law under the Civil Rights Act of 1964. Therefore, we see no indication of a violation of Congressional intent in this finding.

The second set of conclusions we address from the interim report concern the program impact on English language proficiency and attitude. The principal conclusion is that one of the major goals of ESEA Title VII, having students with limited English-speaking ability achieve proficiency in the English language, is not being achieved for Hispanic students among projects which have been operating four to five years. More specifically,

- average Fall 1975 to Spring 1976 achievement gains in English language arts for Title VII Hispanic students were not superior to those of non-Title VII Hispanic students;
- Title VII Hispanic students who were judged to be Spanish monolingual by their teachers . . .showed no gains in English language arts achievement between pretest and posttest with respect to national norms.

The interim report goes on to conclude that

- participation in Title VII-supported classrooms did not tend to have any differential impact on student attitudes toward school related activities.

Analysis of the procedures on which these conclusions are based reveals a number of methodological and statistical problems which render the conclusions as merely tentative. First, the methodology assumes that Title VII and non-Title VII groups are comparable at the oneset of the study so that differences at the time of posttest can be exclusively attributed to Title VII. In our technical review, we performed a number of independent checks to determine the initial comparability of the groups. Evidence from these checks strongly suggests that the non-Title VII group was either initially superior to the Title VII group or at least different in some import respects. AIR performed some of these independent checks but assumed that the initial differences found are unimportant. A more cautious interpretation of these data would lead to probing the nature of the differences, as is suggested in our review.

Second, throughout the interim report, it is assumed that students participating in Title VII are in fact receiving a bilingual education program as defined in the Act. However, the interim report presents no verification that the process of educating students consistent with what the legislation defines as a "bilingual program" has been implemented. As a consequence, the interim report leaves us with no knowledge regarding the effects of bilingual education as an operational program, as a concept, or as an educational effort to achieve the ends for which the legislation was originally designed. However, the interim report does note that approaches to bilingual education were to have been described, observed in selected classrooms, and systematically related to outcomes. Subsequent conversations with OE have clarified that AIR will include these analyses in the final report. As an additional point, the average duration from pretest to posttest was only 5.5 months. The final report will provide information regarding program effects over a years' duration.

Based on the available information in the AIR study, it would be totally unwarranted to conclude that bilingual education, Title VII, or even this particular sample of the Title VII projects is not producing the expected English language and affective outcomes.

The final set of conclusions we address in the review concerns AIR's implication that the Title VII projects in the study were operating a maintenance approach, i.e., a program whose goal is maintenance of Spanish language rather than transition into English. For the program to be a maintenance effort would be inconsistent with Congressional intent but also would prevent limited English speaking target children in need from receiving program services. The main conclusions upon which the maintenance implication rests are as follows:

- Only 5% of the project directors indicated that a Spanish-dominant student is transferred from the project to an English-only classroom with no Spanish language maintenance once he/she learns English well enough to function in school.

- Eighty-six percent of the project directors indicated that once a Spanish-dominant student learns English well enough to function in school he/she remains in the bilingual project.

Analysis of the procedures in the interim report reveals that the conclusions are largely based on the phrase, "learns English well enough to function in school." There is no widely used set of operations considered acceptable to define this phrase. The operations used in the study, a questionnaire respondent's judgment, are but one of a number of alternatives, many of which are equally viable. In view of the lack of consensus over the acceptable operations, a questionnaire respondent's judgment is best supplemented by independent information either from observations or assessment of student performance. Thus, the implication that the projects are maintenance efforts rests on uncertain conclusions.

However, let us assume the accuracy of the conclusion that students remain in the projects. Is that conclusion damaging? It remains to be determined that these students are the primary beneficiaries of Title VII services rather than the limited English speaking students for whom Congress intended the program. As was pointed out regarding the assertion that only a third of the students are limited English speaking, individualization or grouping could easily target services where they were intended. The project directors may also leave these students in the classroom for such educationally justifiable reasons as providing peer instruction to their peers who are less fluent in English. As a final point, for students to remain in a program after they learn English well enough to function in school hardly constitutes a maintenance effort. Maintenance efforts are fully articulated instructional programs in grades K-12 that use a dual language system as mediums of instruction. These projects in no way conform to that definition.

In commenting on the AIR study, we have attempted to highlight results for which two questions can be raised: are the conclusions accurate, and are the conclusions damaging? These questions led us to focus on three aspects of the full study--the kinds of students being served, the outcomes of the program, and the type of program being implemented. We have determined that the accuracy of the conclusions we reviewed in the AIR interim report is open to question. We also have determined that conclusions regarding the types of students being served and the types of programs being operated, even if accurate, are not damaging to the program.

We have forwarded the detailed technical review to the Director of the Office of Bilingual Education and to the OE program office that funded the study, the Office of Planning, Budgeting, and Evaluation (OPBE). In conversations with OPBE thus far, OPBE has indicated a strong interest in our review comments and recommendations. OPBE indicates that they will set aside sufficient support for our recommended analyses to be performed prior to the release of the final report. We are confident that where accurate conclusions about Title VII are possible from the data collected by AIR, they will be fairly determined for the final report if our recommendations are followed. However, the interim report, as it now stands, is too inconclusive to guide major policy decisions about the Title VII legislation.

STATEMENT OF DR. J. MICHAEL O'MALLEY, SENIOR RESEARCH ASSOCIATE, NATIONAL INSTITUTE OF EDUCATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Mr. JENNINGS. You may summarize, if you wish.

Dr. O'MALLEY. I have already submitted the technical background together with my formal testimony.

Significant is the 20 percentile for reading for the students in the program which strongly indicates to us a need still exists in spite of the fact that students were in some kind of program which is referred to as a bilingual education program or Title VII program for a period of time . One of the things I have indicated in my testimony is that we still have very little certainty that, in fact, what is defined as a bilingual educational program in Title VII was being implemented in those classrooms. Consequently, we are a little uncertain as to whether bilingual education was evaluated or something entirely different was evaluated.

After hearing the testimony of Dr. Danoff, I reaffirm my own testimony and the conclusions reached in it. In our judgment, basing policy decisions on the conclusions of the report would be ill advised at the present time until some of the recommendations we have forwarded to the Office of Education are followed.

I would like to make a very important point, to me, and I think to individuals who will look at the study, and that is the recommendations we have made to the Office of Planning, Budgeting and Evaluation in the Office of Education have been very well received. Individuals in OPBE responsible for monitoring the program indicated they will assuredly follow these recommendations in advance of the preparation of the final report. Now, if these recommendations are, in fact, followed, I would indicate where conclusions could be reached as to bilingual education or Title VII. Such conclusions will have been reasonably determined if those recommendations are followed.

I would also like to comment on a couple questions which were raised this morning as to the report. One of them was raised by Mr. Quie, who indicated that as far as he understood the non-Title VII group was similar to the achievement group. If I understand Dr. Danoff, this point was reiterated a moment ago.

Based on the interim report, there is no way we can come to the same conclusion. There were, in fact, differences in the Title VII and non-Title VII group, very important differences which appeared to have favored the non-Title VII group.

As a result of these differences, it is difficult to draw up systematic conclusions from the data and reach the kind of conclusions which were reached as to the outcomes of Title VII programs.

I think that fairly well concludes the additional comments I would like to make.

Mr. JENNINGS. Dr. Pena, I know you don't have a prepared statement, but as with the other witnesss, if any of you care to elaborate later on with a written statement, you may do so for the record.

STATEMENT OF DR. ALBAR PENA, SCHOOL OF EDUCATION, UNIVERSITY OF TEXAS AT SAN ANTONIO

Dr. PENA. My understanding was that I was to provide an historical overview. I think at this point it would be superfluous. I, as the first Director of Title VII, haven't had the opportunity to go into private practice, if you will, and have had an opportunity to react as it was implemented and now being carried out. One of the biggest things we must look at, if any findings are to be worthwhile, is actual implementation, that is at the crux of the whole situation. Unfortunately, legislation is very compensatory in nature. By virtue of the guidelines provided, a lot of the things couldn't happen which were considered to be ideal bilingual education. The fact school teachers want to conduct bilingual education in a transitional mode, the first chance they have, it becomes an English program even though it has a bilingual tag.

I also question the fact the so-called credential teachers we have—I know in my own state, Texas, these teachers are in the classroom by simply attending a 30-hour institution dealing with culture and linguistics. Within a week they are given a permanent endorsement to teach bilingual education. That, in my own estimation is relegating us to mediocracy. No one can conceive a teacher can be prepared with just 30 hours of preparation. So as much as I support Title VII, either we are serious as to what it means, either we mean bilingual education supports bilingual education or we should call it something else. This is a program we want them to become proficient in English and then forget about their private native language, this is not bilingualism.

Mr. FORD. Dr. Pena, would you elaborate the changes which should come about?

Dr. PENA. One of the changes was provision of money allocated to the provision of teachers. This needs to be continued because without adequately prepared teachers, we will be relegated to inadequate findings. We spent nearly half a century trying to find out the best method, yet when we find some of our kids are not reading at national norm, we are not suggesting we do away with reading. We are still suggesting we need to look into it further. Nine years of bilingual education is hardly enough time for us to come to the many, many solutions that need to be solved, teacher preparation, for one thing, the adequate materials and so on. A complete laundry list could be made in the whole area.

Mr. JENNINGS. Dr. Pena, you are in a unique position because you were the first director of the Federal program and now you are working on bilingual education on a local level. You know then that over time the program seems to have evolved into a program which is providing support services to children in need of bilingual education, principally Spansh-speaking children. With the fact that the Office of Education has not taken a position on transition versus maintenance and with the fact that the vast bulk of the money is used for continuance grants and that once a school district qualifies, it is pretty much assured the same amount of money in future years, it seems to have become a program where school districts are given extra money for Spanish-speaking children without a direct focus on the types of services they must provide or on the end result of what those services should achieve.

Do you believe those statements are accurate and, if so, do you believe now is the time to have a decision made by Congress as to the proper goal for the use of these funds?

Dr. PENA. I agree. Naturally, we should look into bilingual education with a different focus. Teachers need to know what goals are to be attained. Goals can be very lofty, but unless carried out systematically, they may not be reached. What we know about language teaching and reading and simply teaching contents through the medium of native language, there are still a lot of unanswered questions. Therefore, the focus of the bilingual program should be carried on with these points in mind.

Mr. JENNINGS. You would have to be a little more precise. You are correct you can't solve any problem of this immensity in nine or ten years just as you can't solve the problem of poor children in nine or ten years.

There comes some point in time with many of these programs when the Congress feels pressure to clarify the focus of the programs. What do you mean exactly when you say now that we know a certain amount about how you teach a language and that now is the time to focus this program? How would you do that exactly? Do you believe it should be the primary purpose to teach children English so they can go into a regular English classroom or do you think it should be bilingualism?

Dr. PENA. I believe it should be the latter. But it is folly to think after three years they can drop their language and then in five or six years pick it up again as a language requirement for college preparation. If it is a bilingual education act the two languages should be given equal par.

Mr. JENNINGS. Congress went through a debate on that point in 1974 and some members of Congress expressed a belief that full bilingualism could lead to great divisiveness in the country. How far do you think bilingualism should be perpetuated in the school system?

Dr. PENA. Throughout the entire school system, kindergarten through 12 and on through college.

Mr. JENNINGS. Do you think that would lead to a segregation of students by language?

Dr. PENA. No. I think eventually we will become unilingual. There is a need for understanding and learning the two languages will insure this.

Mr. JENNINGS. Dr. Danoff, if I understand your criticisms correctly, the first point you make is that less than a third of the children in the program are of limited English-speaking ability. The second criticism seems to be, once in the program they don't seem to be doing well on either of two norms: Their self-esteem has not been enhanced; and their English-speaking and Spanish-speaking ability has not increased. Do you believe this means the program should be modified so the funds are focused on children in severe linguistic need, those who don't understand English at all; or do you believe the program should be for those who do speak some English, or have some difficulty in English?

Dr. DANOFF. These are not my criticisms, these are findings of our study. It is simply what is out there. In answer to one of the criticisms that we didn't know it was Title VII out there, we used all the projects in their four-or five-year funding, we sampled only classrooms receiving Title VII funds and had Title VII teachers in them. We document in detail the type of instructional modes used in ESL, SSL and math. You can't say we didn't know what we were studying. It is well documented in Volume 2, as to the study we did.

My feeling is, as I summarized, there are problems between determining bilingualism and biliteracy. The children in the programs may be monolingual; they are not biliterate. There are other kids who don't perform at grade level and who have no language problem. They are under Title I and other things. One suggestion which might come from the study is because he doesn't understand the language of instruction, which I understand is the intent of the legislation, then one can say, "Yes, this is a means by which he can become competent in English." But if you take a child who is English monolingual, because he has a Spanish surname, and teach him Spanish as a second language, that is not bilingual education in terms of meeting the need I thought Congress identified by 1968, that was intended for the limited English-speaking child being left out at school. That is the first priority. People interested in those students would recognize those students first should be helped.

However, that is not the majority of the kids. In fact, as I pointed out, something like 16 percent of the kids are Spanish monolingual, as you go down from the bilingual 30 percent - Spanish dominant bilingual or Spanish monolingual.

Mr. JENNINGS. So I can take from your answer you believe the program should be concentrated on those children who are in severe need of understanding English so that they can understand it when they go into regular classes?

Dr. DANOFF. That is my understanding of the intent. Also lofty goals of multicultural education should then take their place in a long list of educational priorities. They are certainly not at the same level of priority as this severely limited English-speaking-ability child. It is a good goal to have people bilingual but it is an educational priority that has to compete with other priorities and you cannot lump it all into one act. That originally was created because kids need English instruction and moved into a bilingual cultural program into a social and political domain. I feel the first goal is to the student of limited English-speaking ability. The other is an educational goal which has to complete with other educational goals.

Mr. JENNINGS. Assuming your findings are correct, why do you think the program has evolved to the point it has now instead of concentrating on those of severest need?

Dr. DANOFF. I think it has found itself in the social-political arena and that the people that have a great deal to say in bilingual education, the spokespeople, the more vocal people, believe the truly bilingual-bicultural approach is to their advantage and to the advantage of the nation.

That is their opinion. I think it has moved in that direction. One of the projects that we have described in Volume 2—and it is coded because we promised anonymity—started out as a full maintenance program because of their advisers and their consultants, and they found a good number of the parents wanted the kids to learn English more quickly and they had to adjust their goals, so they became transitional.

One can ask, why it started out as maintenance when they wanted it transitional, and that is a question which would bear looking into.

I think the other reason is that the Title VII legislation when it is translated into program goals by Title VII, often takes on a different complexion. It does not surprise me one bit that you find 30 percent of the kids Spanish dominant or Spanish monolingual. Fifty percent of the kids could be English monolingual by Dr. Molina's recommendation. All you have to find is 20 percent of the Hispanics speak English, as we found, so you do have to face the goal and the problem that was discussed here this afternoon. What is it that you want bilingual to be? As I said, my personal feeling is the intent in 1968 was a very real one directed towards children who were failing in school because they did not speak English. That is not what is out there now. They are not doing well in English but not because they do not understand English.

Mr. **Jennings**. Could I ask Dr. Pena to comment on that.

Dr. **Pena**. I agree partly on some of the things he says. I still go back to my own contention that it is not always the problem of the concept of bilingual but the actual interpretation and carrying out of the particular programs. If one is to look at some of the programs that are called bilingual education today, you would not have to look too far they are that in name only. We have in Texas, as we have in other states, programs being conducted as bilingual education with monolingual teachers with the assistance of an aide.

However, ths forms part of a whole litany we have for bilingual education preograms in operation. I still maintain that bilingual is a sound concept if implemented properly with everything that goes with it – teacher qualifications, administrative support, evaluation, assessment – then it will succeed. But it cannot succeed if after 3 years it becomes obsolete. Either it is a bilingual program or it is not.

If we are only going to have it 3 years to the point that the child becomes proficient in English, where does the bilingualism come in? Your language is going to be good enough for only 3 years and then we will drop it because the only thing you have to remember is to be English speaking.

Mr. **Cross**. Dr. Danoff, let me ask you in terms of the study you did whether there were Title I programs in the same schools and classrooms as Title VII programs? Could you tell what was being funded under which program?

Dr. **Danoff**. I think the answer to your question should be in two parts. First of all, our concept of program or project documentation is based on the fact that we described what is going on in the classroom regardless of the source of funding. It is quite a separate issue. We interview the teacher, the project director, we observe in the classroom, we interview the aides, and we observe.

We document, as I pointed out, what goes on in terms of the major features of the program. We document what happens for

English language instruction, for native English speakers, for Spanish speakers, and so on.

We document in detail in terms of the time spent per day, who is involved, what grouping is used, the kinds of materials are used, textbooks, what series are used.

The costing issue is separate. We did that as well because the cost figures we obtained were broken down into how much do you get from Title VII for these students, how much money comes into the school from other sources, how much money comes from other bilingual funds, from state funds. We did that for both the comparison and the Title VII schools.

One does not ferret out what happens in the classroom and attribute it to one or the other funding source, because educationally that is not what happens.

Mr. Cross. The short answer is, there were Title I programs in operation in some of those schools as well?

Dr. Danoff. Yes.

Mr. Cross. Did you look at anything to do with the quality of the curricula that was being used in those schools and the sources of that material?

Dr. Danoff. Oh, yes. Volume 2 contains the detailed procedures used in the classroom, the series used, the text used, and so on. We did not assess the adequacy of it because we feel that the adequacy of it is reflected in the performance of the students and not in some armchair decision as to whether it looked good or not.

Mr. Cross. In your view, are there really instruments available to test language dominence?

Dr. Danoff. At the time we started this study the only instruments that were available -- and I believe possibly only available now -- were individually administered once. That was not within the cost considerations at all of the study to administer individual tests.

I think as I pointed out also in addition to that, it was not practical, these instruments are validated by teacher judgment. They have to base the criterion on something when they validate a test, and in most instances, if not all, these tests are validated against a teacher's judgment. So it is sort of an empty argument in terms of whether the teacher can make this judgment or not. She ultimately made the decision.

Mr. Cross. I am sure in doing the study you reviewed the literature in bilingualism, did you not?

Dr. Danoff. Yes. I had some staff do that at the beginning of the project. In fact, we had a year planning phase in which literature was reviewed, a bilingual advisory panel of 17 people was convened, and we identified the variables of interest in bilingual education based on the literature and the panel. Those considerations actually yielded the data elements that we inserted in questionnaires and that we attempted to tap by way of Spanish-English tests.

Mr. Cross. Is your advisory panel listed in the report?

Dr. Danoff. Yes, it is in the beginning of Volume 1.

Mr. Cross. Are you aware of any research that has been conducted or is ongoing which examines what happens to students who have come out of bilingual programs in terms of their success in college placement, in jobs, that sort of thing?

Dr. **Danoff**. No, I am not. Related to that, as I mentioned in my writen statement, it seems to me that the bilingual program is going on nine years old. It was designed as a demonstration project and ended up as being an educational service project. It is not surprising that 9 years later you do not know what works and what does not because they have been funding projects on a service basis rather than a planned variation basis. One of the strong recommendations I would have is that Congress should in the future when you legislate new educational programs, make it a requirement that the program and the participating projects participate in a national evaluation, a vigorous national evaluation, from the beginning. Then you do not find yourself in the position you had with Title I and Title VII, not knowing what works many, many years down the pike and having people still wanting to implement things and looking to the government for guidance.

Mr. **Cross**. I think that is an excellent suggestion.

Let me ask Dr. O'Malley: Please identify where you are at NIE.

Dr. **O'Malley**. In the Multicultural/Bilingual Division.

Mr. **Cross**. Did others outside of your division look at your critique?

Dr. **O'Malley**. Yes. In the basic skills group, in the measurement and methodology division.

Mr. **Cross**. What you have submitted represents NIE or is it essentially your view?

Dr. **O'Malley**. The report was also forwarded through the division chief and the associate director of educational equity. Consequently I would not say it is only my view.

Mr. **Cross**. But has it been endorsed by the others?

Dr. **O'Malley**. My assumption is that it does. My assumption was since I was giving testimony as an individual who is a senior research associate at NIE rather than a private citizen, that indicates that the testimony represents an NIE view.

Mr. **Cross**. I tried to check on that this morning and was not able to get a clear answer.

What is your view of what the research needs are in bilingual education? If you were going to design an agenda, what would you require be done?

Dr. **O'Malley**. There is some ongoing research which will lead to better identification procedures for students with limited English-speaking ability at NIE in a joint project with NCES.

Given the existing act, the act identifies some research needs, and if the act were changed then the research needs change in a sense. To identify students with limited English-speaking ability has to be one of the major priorities. There is research in that area.

An interesting question is raised: How does one know that an individual is capable of profiting from instruction in English? Again, there is some study going on NIE addressed to that same question which does focus directly on the existing legislation rather than some change that might be made.

In between that you have to raise the question, I believe, of the kinds of program approaches which can be identified that systematically do relate to outcomes for particular kinds of students. I am reminded to some degree of the history of evaluations in federal programs in the past 15 years or so where in the early stages of the evaluations it seems nobody seems to understand what the programs are and whether or not they work. I am reminded also of the phrase individualized instruction used in Title 1, where programs are evaluated that reportedly wre individualized and thre is some indication they did not work.

We are asking individuals in this evaluation whether or not they are operating a certain kind of program and they report back they are operating a maintenance program. I submit that we are not absolutely certain what the definition of a maintenance program is to which all these individuals are identified.

As a consequence, the actual variation in program implementation that might produce those outcomes that are desirable for the program remain uncertain. We do need research in that area. A planned variation study is one way to go around doing that.

One of the problems in that, at least in my view, is that you are using a model that was based upon follow-through when there were a number of different kinds of programs in existence with models on which some systematic differences could be identified. In bilingual education right now I do not know that there are models in existence on which there are systematic differences. There are models in existence, as Dr. Molina indicated this morning, but what we do not know, whether there are any systematic differences among those models in the actual program implementation.

Mr. CROSS. You would then favor the development of models and making them available to school districts?

Dr. O'MALLEY. That may be required, and then I think the best expertise should be brought to bear upon this issue in attempting to determine what the varions would be.

Mr. CROSS. Would you agree with Dr Danoff that a valuation component should be included from the very beginning?

Dr. O'MALLEY. Definitely, yes.

Mr. CROSS. Could you submit for the record the research NIE has ongoing or planned for fiscal 1978-79 related to bilingual education?

Dr. O'MALLEY. I would love to do that.

[The following information was submitted for the record:]

MANDATED RESEARCH AND CLEARINGHOUSE ACTIVITIES IN BILINGUAL EDUCATION

National Institute of Education
Educational Equity Group
Multicultural/Bilingual Division

The National Institute of Education established the Multicultural/Bilingual Division as part of the Educational Equity Group in January of 1975. The principal goal of the Division in the bilingual area is to improve the capability of local and State education agencies to provide bilingual education for all students in need and to students who participate voluntarily. The Division's program is carried out under the NIE authority in Section 405 of the General Education Provisions Act, as amended, to provide equal educational opportunity for all children.

In addition to responding to NIE's own legislative authority, the Division's program responds to a mandate to the Director of NIE and the Commissioner of Education in Section 742 (c) of the Bilingual Education Act, as amended, to perform the following activities:

(1) A research mandate to

> "undertake studies to determine the basic educational needs and language characteristics of, and most effective conditions for, educating children of limited English-speaking ability;"

(2) A development and dissemination mandate to

> "develop, and disseminate instructional materials and equipment suitable for use in bilingual education programs;" and

(3) A clearinghouse mandate to

> "establish and operate a national clearinghouse of information for bilingual education, which shall collect, analyze, and disseminate information about bilingual programs..."

Because the mandate was to both agencies, NIE and OE have agreed to allocate the responsibilities under the Congressional authority. NIE has lead responsibility for the research and the clearinghouse mandates, and OE has responsibility for the development and dissemination mandate. Agreement on the responsibilities was reached in a formal memorandum of understanding signed in February of 1976 by the Commissioner, the Director, and the Assistant Secretary (Attachment A). The following discussion pertains only to the NIE responsibilities, deriving from the memo of understanding on projects ongoing or to be initiated in FY 1977-79.

RESEARCH ACTIVITIES

The research responsibility was addressed at NIE by isolating components from the mandate associated with the following three elements

- o the basic educational needs of children of limited English-speaking ability
- o the language acquisition characteristics of children of limited English-speaking ability
- o the most effective conditions for educating children of limited English-speaking ability

NIE projects addressing each of these three mandated research areas are as follows:

Basic Educational Needs

The projects addressed to basic educational needs are as follows:

Child English and Services Survey. This study is a coordinated NIE, NCES, and OE response to three related legislative mandates: (1) an NIE mandate to conduct studies to identify the basic educational needs of children with limited English speaking ability (LESA) [Section 742 of the Bilingual Education Act as amended by Section 105 (a)(1) of the Education Amendments of 1974];

(2) a mandate to the National Center for Education Statistics to count the number of individuals in the States with limited English-speaking ability [Section 501 (b)(4) of the Education Amendments of 1974]; and (3) a mandate to the Commissioner of Education to report information on the extent to which the educational needs of children with limited English speaking ability are being met by Federal, State, and local efforts [Section 731 (c)(1) of the Bilingual Education Amendments of 1974]. Information to meet the three mandates will be collected on a nationally representative sample of children aged 5-14 years from non-English language backgrounds. The information will be used to differentiate individuals who are LESA within this sample and to determine the extent to which their educational needs are being met. Prototype instruments to assess LESA will be one immediate product. Longer term products will result from studies of language acquisition and school outcomes. The study will be completed in the Winter of 1977 and a report submitted to the Congress and the President as an NIE-NCES supplement to the mandated Commissioner's Report.

Catalog of Bilingual Assessment Instruments. The catalog will contain a critical and annotated description of assessment instruments used in bilingual education across different languages, content areas, and grade levels. A needs analysis for new instrument development will accompany the catalog. The catalog will be completed in October of 1977.

Academic Readiness. New instruments will be developed appropriate for students with limited English language skills. The specific areas for instruments development will be determined in a needs analysis presently under contract from the Multicultural/Bilingual Division. Some new instrument development already underway to assess reading proficiency in Spanish is scheduled for completion in FY 1978.

Instructional Implications of Cognitive Styles. Differences in three types of cognitive style will be investigated among a group of students from Mexican-American, Puerto Rican, Asian American, and Native American backgrounds. Attention to cognitive style results from prior research suggesting that children from ethnic and linguistic minority backgrounds respond to learning tasks with unique expectations and approaches. In the first year, this project will pilot test instruments. In the second year, field data will be collected and analyzed to determine group differences and relationships of cognitive style measures with achievement. Future directions of the project will be determined by results of the field test. Investigations of instructional approaches associated with cognitive styles are anticipated. The pilot test phase of this study has been completed.

Bilingual Prediction Study. The characteristics of students in a bilingual program that determine when the student is ready to profit from instruction in English will be investigated in this study. Results from the first year indicate that reading proficiency in Spanish is importantly related to the ability to profit from instruction in English. The study will be extended longitudinally and will be validated on additional students. One product will be a manual for practitioners to use in assessing readiness for English language instruction. The study is in its second year and will be completed in FY 1980.

Language Acquisition

Projects planned to address language acquisition focus on the acquisition of language by young children whose primary language is not English, the identification by school personnel of language usage in homes and schools, and the identification of attitudes among parents toward language usage. These projects are planned to begin in FY 1978.

Effective Approaches to Bilingual Education

Specific projects directed toward identifying effective conditions for educating children with limited English-speaking ability are as follows:

Survey of Bilingual Approaches. This study directly responds to the legislative mandate to NIE to conduct studies to identify the most effective conditions for educating children of limited English speaking ability [Section 742 of the Bilingual Education Act as amended by Section 105 (a)(1) of the Education Amendments of 1974]. The purposes of the study are (1) to determine how bilingual education is being implemented in Federal and State projects, and (2) to identify effective implementation approaches which might serve as models in a planned variation investigation. The study will be conducted in three stages. In the first stage, a survey of local education agencies will identify projects in bilingual education using approaches that have programmatic or theoretical importance. The second stage will consist of reviewing these projects in greater depth to identify the level of implementation of the approaches. The third stage will focus on the relation of implementation variables to program outcomes for different approaches. Approaches identified as most effective will be disseminated for practitioner use. The study is planned for FY 1978 and is expected to extend through FY 1980.

Bilingual Evaluation Technical Assistance. A Technical assistance approach will be developed to improve the capability of school districts to conduct internal evaluations of bilingual programs. The focus is on helping State and local education agencies utilize the results of evaluation to identify and implement effective educational approaches. One aspect of the effort will be to assist LEAs in designing evaluations that meet guidelines in Federal and State regulations for bilingual program support. The technical assistance package will be disseminated to LEAs and SEAs through the existing Title VII technical assistance network or through State technical assistance networks. This activity is presently ongoing and will be completed in FY 1979.

CLEARINGHOUSE ACTIVITIES

The final NIE/OE mandated activity is the bilingual clearinghouse. The clearinghouse will be designed to provide for orderly gathering, cataloguing, and retrieval of materials relevant to bilingual education. It will serve as a focal point for the dissemination of information and products generated within the Title VII network of technical assistance centers. One major responsibility of the clearinghouse will be to provide technical assistance and training to the network on accessing and using computerized information services. The clearinghouse will be initiated in FY 1977 under a three-year award and is being supported by equal contributions from NIE and OE.

MEMORANDUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
NATIONAL INSTITUTE OF EDUCATION

TO : Assistant Secretary for Education

DATE: FEB 9 1976

FROM : Commissioner of Education
Director, National Institute of Education

SUBJECT: Memorandum of Understanding Between NIE and OE

The attached Memorandum of Understanding between NIE and OE regarding implementation of Part C, Section 742(c) of Title VII of the Bilingual Education Act (P.L. 93-380) has been approved by both the Commissioner of Education and the Director of NIE. We believe the document provides guidelines and operational definitions sufficient to perform the required tasks in a cooperative manner. The NIE and OE staff have been working cooperatively in the development of a national clearinghouse. The attached Memorandum of Understanding was jointly written. Its approval will formalize existing relationships and tasks. We jointly recommend that you approve the document.

FOR THE NATIONAL INSTITUTE OF EDUCATION	FOR THE U.S. OFFICE OF EDUCATION
Harold L. Hodgkinson	
Harold L. Hodgkinson, Director	Terrel H. Bell, Commissioner
1/23/76	2-9-76
Date	Date

APPROVED: Virginia Y. Trotter
Virginia Trotter
Assistant Secretary for Education

2-11-76
Date

MEMORANDUM OF UNDERSTANDING BETWEEN THE NATIONAL INSTITUTE OF EDUCATION AND THE U.S. OFFICE OF EDUCATION CONCERNING THE DIVISION OF RESPONSIBILITIES UNDER THE BILINGUAL EDUCATION ACT (P.L. 93-380), TITLE VII, PART C, SECTION 742(c) AND (d)

The purpose of this memorandum is to identify the areas of responsibilities for the National Institute of Education (NIE) and the U.S. Office of Education (OE) within the Education Division of the Department of Health, Education, and Welfare (DHEW), headed by the Assistant Secretary for Education (ASE), relating to bilingual education as mandated in P.L. 93-380, Title VII, Part C, Section 742(c) and (d) of the Bilingual Education Act.

1. It is hereby agreed by the signatory organizations that the overall division of responsibilities for administering Section 742(c) will be as follows:

Section Citation	Responsibility
Sec. 742(c) (1)	Joint. NIE has lead responsibility
Sec. 742(c) (2)	Joint. OE has lead responsibility
Sec. 742(c) (3)	Joint. NIE has lead responsibility

   Joint responsibility refers to the equal sharing of responsibility by both agencies for the accomplishment of the overall task.

   Lead responsibility, as used in this document, means that the designated agency will be responsible for developing management plans for program activities to accomplish the mandates of the legislation.

   The specific areas of responsibility will be delineated after the program activities associated with each subsection have been clearly spelled out and agreed to by both agencies.

2. All competitive procurement activities under Section 742(c) will involve equal voting membership from NIE and OE. Procurement documents such as RFP's and bidder's proposal review criteria will have joint preparation and review boards. Both agencies will participate fully in review of contractor performance and decisions regarding changes, continuations, or terminations of contracts supported under these authorizations. The agency having responsibility for program activity within a subsection will chair such boards or panels and will monitor contracts funded thereunder.

3. Programmatic meetings will be held as frequently as needed, but not less than once each quarter. Beginning in January, 1976, a joint NIE-OE Policy meeting will be held at the initiation of the ASE to agree on policy, to communicate past developments, and to coordinate future plans concerning those bilingual education activities coming under the purview of both agencies.

4. Nothing in this memorandum is intended to preclude joint funding and coordination of bilingual education activities under the respective authorities of the signatory agencies outside of Section 742.

5. The source of support for program activities associated with each of the three subsections will be negotiated between OE and NIE.

6. The Commissioner and the Director jointly shall call periodic meetings to comply with requirements of Section 742(d).

FOR THE NATIONAL INSTITUTE OF EDUCATION

Harold L. Hodgkinson
Harold L. Hodgkinson, Director
1/23/76
Date

FOR THE U.S. OFFICE OF EDUCATION

Terrel H. Bell, Commissioner
2-5-76
Date

APPROVED: Virginia Y. Trotter
Virginia Trotter
Assistant Secretary for Education

2-11-76
Date

PROPOSED BILINGUAL RESEARCH AGENDA

National Institute of Education
Educational Equity Group
Multicultural/Bilingual Division

Projects identified in this proposed research agenda are based on three sources:

(1) mandated studies in the Bilingual Education Act, as amended by P.L. 93-380;

(2) the report of the Comptroller General of the U.S. to the Congress, Bilingual Education: An Unmet Need; and

(3) the first report by the U.S. Commissioner of Education to the President and the Congress on The Condition of Bilingual Education in the Nation.

From these sources, there are four major proposed projects which would extend or update presently mandated needs assessments in bilingual education and would add to the mandated needs assessment. The projects are: an updated needs assessment, a follow-up of the first needs assessment, an updated survey of bilingual approaches, and a planned variation study.

Updated Needs Assessment

The Congress mandated a needs assessment in Section 731 (c) of the Bilingual Education Act, as amended by P.L. 93-380, to be contained in a report submitted by the Commissioner of Education to the President and the Congress. The needs assessment was comprehensive and included a survey of the number of children and persons in the States with limited English speaking ability; the extent to which their educational needs are presently being met through Federal, State, and local efforts; a plan for training of the necessary teachers and other educational personnel for bilingual programs; and a plan, including cost estimates, for extending programs of bilingual education and bilingual vocational and adult education programs to all preschool and elementary school children and other persons of limited English speaking ability. The report is scheduled for submission on February 1, 1978.

One component of a proposed research agenda is to update the needs assessment portion of the Commissioner's Report within two to three years or about FY 1980-81. Elements of such an updated needs assessment might include

(1) an estimate of the number of individuals with limited English-speaking ability in the United States;

(2) an estimate of the number of teachers and other educational personnel needed for bilingual education programs, with surveys of existing qualified personnel and personnel in training;

(3) a survey of State activities in bilingual education with information obtained cooperatively through a Federal and State planning effort; and

(4) a survey of the extent to which the educational needs of children and other individuals with limited English-speaking ability are being met through Federal, State, and local efforts.

Follow-up of First Needs Assessment

To provide information for one component of the Congressionally mandated needs assessment in Section 731 (c) of the Bilingual Education Act, as amended by P.L. 93-380, the National Institute of Education and the National Center for Education Statistics plan to identify a nationally representative sample of individuals aged 5-14 years from non-English language backgrounds. Information to be collected on these individuals includes English language usage, English language proficiency, and instructional services provided by their schools. The study is to be completed in the Winter of 1977 and is known as the Children's English and Services Survey.

A second component of a proposed research agenda is to collect information on this same group of individuals but one and two years after the original survey. This could answer important policy and research questions such as the duration over which students receive instruction bilingually, mobility patterns, and responsiveness of bilingual programs in individual schools to student needs where populations are either mobile or of limited concentration. The study could also trace the course of English language acquisition for students originally identified as limited in their English language proficiency. The study is particularly important because it is based on a scientific sample of the U.S. language minority population, including those now served by schools and those not enrolled in schools at all.

Updated Survey of Bilingual Approaches

Whereas the needs assessment studies provide information on the students who may benefit from bilingual education, they do not address the number and variety of bilingual approaches offered in the U. S. Program plans for future NIE sponsored activities include a survey of approaches to educating students bilingually in local education agencies. The survey responds to the NIE's mandate in Section 742 (c) of the Bilingual Education Act, as amended by P.L. 93-380, to identify the most effective conditions for educating students with limited English-speaking ability. A portion of the survey will address the relationship of bilingual approaches to student outcomes in order to identify those approaches or "conditions" that are effective. The survey also responds to persistent questions about the manner in which bilingual education is presently being implemented.

A third component of a proposed research agenda updates NIE's 1978 Survey of Bilingual Approaches. Comparative information with the 1978 survey would indicate the extent to which changes in program implementation have occurred following changes in the legislation with the rewritten Bilingual Education Act. Specific issues that may be of interest are (1) the characteristics of children receiving services under Title VII; (2) the types of programs being implemented; (3) the outcomes expected for the programs or approaches; and (4) the organizational changes in schools stemming from concentration of funds in bilingual education.

Planned Variation Study

In a planned variation study, the fourth component of a proposed research agenda, several alternative approaches to bilingual education would be developed, field tested, and evaluated in cooperation with State and local educators. Approaches proven to be effective with specific populations could be offered to school districts along with Federal technical and financial assistance, or otherwise disseminated. Issues that might be addressed in the study include the extent and type of language and reading instruction in either English or the child's home language, the duration over which bilingual programs should be offered, the level and type of instruction in the culture of the home language, the mixture of students in classrooms appropriate for attaining program objectives, teaching/instructional styles most appropriate for bilingual classrooms, and the influence of parental attitudes and participation on program effectiveness.

Mr. CROSS. Would you also give us some idea of what an ideal research agenda would look like in terms of dollars and projects? I am not talking about carving out the moon but something that would be achievable and would represent some significant advancements in the knowledge of bilingual education.

Mr. CROSS. Dr. Pena, I would like to follow up on a point you raised with Mr. Jennings. I am not sure I understand the logical progression in getting from a bilingual program to conversion to a single language.

Dr. PENA. If the situation exists where everybody understands each other, the necessity for another language is no longer necessary. One would suffice.

Mr. CROSS. Is that not the long way around?

Dr. PENA. At this point, however, I do not think we are anywhere near that goal. I think there is a way to getting there if there is going to be a universal language, which I doubt, but at least here in the United States the necessity of understanding one another, therefore the necessity for bilingualism and bicultural pluralism, but eventually where everyone can understand one basic language.

Mr. CROSS. I agree with you, but it seems to me what you are proposing is that rather than reaching the 28.6 million people in the country that might be other than English language dominant, that instead you teach the other 180 million Americans a second language so you have everybody learning two languages rather than a small group learning a second language. Is that correct?

Dr. PENA. That is your interpretation. My contention is that by focusing on the native language of the particular person which facilitates second-language learning -- if one knows his own language well -- this can be obtained. But if you try teaching it as it has been done in the past, the results are evident. They are not speaking English well. On the other hand, I think given the opportunity to handle a language well, their own native language,would encourage them to learn another.

Mr. CROSS. You heard the dialogue between Mr. Miller and Mr. Simon and Dr. Molina about turning Title VII into a program for teaching foreign language to English students.

Dr. PENA. I would agree with that.

Mr. CROSS. Would you favor Title VII as the vehicle?

Dr. PENA. I think for the purpose of being called a bilingual act we need to give the same opportunity to English bilinguals. I do not think it deprives anybody. It enhances the program, unless you are talking about sheer segregation where only the Spanish speakers are going to receive Spanish instruction.

Mr. CROSS. Would you favor the idea of giving parents greater choice in selecting a model, assuming we develop the models Dr. O'Malley has been talking about?

Dr. PENA. I would on the condition the parents know what the models are about and how they work.

Mr. CROSS. Would you favor meeting the most severe language deficiencies first?

Dr. PENA. Yes.

Mr. CROSS. Those are all my questions.

Mr. JENNINGS. I have one more question for Dr. Pena.

In addition to the controversy over whether the program should be transitional or maintenance or what priorities ought to be placed on what needs, another major problem has been whether funds ought to be used for startup costs or for maintenance of ongoing services. As you know, the program was conceived in the beginning at least as a demonstration program and over time it has become a program to provide services. The Office of Bilingual Education has had difficulty, granted under some congressional pressure at times, in cutting off funds from a school district.

What do you believe the focus of the program ought to be in that regard? Do you think the money should only be used for startup costs for a few years or do you believe the Congress should recognize the program as one to provide ongoing services for a long period of time to a particular school district?

Dr. PENA. I think the former would be more of my interpretation. Startup costs are necessary. There have been recent studies done that have come out that indicate as far as implementation of bilingual education, it does not cost any more than the regular program, given the resources and materials being there.

Back to your question after the startup costs. I think ultimately this is their responsibility.

Mr. JENNINGS. Since school districts are going to be under enormous pressure to hold the line on spending, it is going to be difficult to try to impose new costly burdens on them, so if this finding is correct that bilingual education does not cost that much more, it would have an influence on the congressmen's decisions. Could you supply that, please?

Dr. PENA. I would be glad to.

[The following information was submitted for the record:]

BILINGUAL EDUCATION

COST ANALYSIS *

Jose A Cardenas

Joe J. Bernal

William Kean

Intercultural Development Research Association
5835 Callaghan, Suite 111
San Antonio, Texas 78228

August 1976

* Due to the length and depth of the publication, only the summary and conclusions chapter is reprinted here. The full text of this analysis is retained in the Subcommittee files.

Chapter V

SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

SUMMARY

The purpose of this study was to assess bilingual education costs and the development of weighted pupil-factors for bilingual education in Texas. The methodology utilized in the study identified the essential costs of a bilingual education model and produced weighted pupil-factors, an alternative formula for distributing school funds. This methodology to determine cost data and program variations found in Texas can be readily adapted to develop cost factors for other states.

Since bilingual education is an evolving program area, the classical approach of the National Educational Finance Project style weighted pupil studies was found to be inadequate for our purposes. Given the limitations of an approach calling for the identification of "exemplary" programs discussed in an earlier chapter, and given the great amount of variation between programs as they exist in Texas school districts in terms of funding levels, breadth of subject area offerings, depth of coverage, number of grades included, and student time spent in the program, a different approach had to be developed for determining per pupil costs and weighted pupil factors for bilingual education. While the use of a panel of experts to determine key resource quantities is not without its limitations, the project had the choice of objectively determining precise quantities from school district data and manipulating this data with a variety of statistical techniques or relying on the judgement of a group of people representing a broad spectrum of involvement in bilingual education in the state. The project chose the latter course, since no matter how many figures were generated from however large a sample, and no matter how statistically elegant the techniques applied to those figures, the results (which could only have been obtained by a project with a much longer duration and a much higher level of funding) would have been meaningless for purposes of determining recommendations for funding levels. They would have given an indication of "what is" in a situation where "bilingual education program" can mean anything from ESL in the first grade to a full range of subjects over six or more grades; where district bilingual program staff may consist of partially retrained teachers with little sympathy or understanding of the program or a fully trained, dedicated staff; where students may spend a few hours per week in the program or where they spend almost all their classroom time; and where additional funds allocated to the program may range from $25.00 per student to over $1,000. Clearly, a variety of programs with little similarity are lumped under the heading "bilingual education" and the precise figures for expenditures by these programs would have yielded little information about "what should be" provided in an adequate program.

CONCLUSIONS

Two conclusions from this study deserve prime attention. The first has to do with the high correlation among quality, quantity, and cost and the second has to do with the realization that numerous aspects or items of the bilingual program, which at first consideration seem to necessitate add-on costs, in fact, do not.

1. The clearest example of the high correlation among quality, quantity, and cost is the case of program staffing. Virtually every time different staff positions were discussed by the panel, the consensus was that the more poorly trained in bilingual education the staff of both the bilingual program

and the regular school administration staff, the more additional positions were needed, thereby increasing costs.

2. It was found that many activities in bilingual education do not require additional funding. The clearest example here is the case of in-service training days: while the panel determined that five training days were needed, it was decided by the panel that this quantity could rationally be subsumed under the ten days alloted by state law for in-service training purposes.

Other conclusions are enumerated as follows:

3. Rigorous application of the proxy and general upgrading concepts (see Chapter IV) during the course of this study indicated that a great many resource items (most of which would be included in an "ideal" program model) are not needed solely due to the nature of bilingual education but are equally useful to the monolingual program.

4. Findings of this study indicate that while amounts of items used to calculate per pupil costs might vary by grade and year of implementation (a) total per pupil costs sort into three grade groups (K, 1-3, and 4-5) and (b) where year of implementation is concerned little difference exists in the costs for years 2-4, resulting in almost no difference between program weights. Figure VII (see pg. 42) indicates the add-on costs and weights that result from the groupings suggested above.

FIGURE VII

ADD-ON COSTS

Grades

K	1-3	4-5	
243.77	238.37	205.73	Year 1
199.92	198.18	172.39	Year 2 & Beyond

WEIGHTS

Grades

K	1-3	4-5	
1.31	1.42	1.36	Year 1
1.25	1.35	1.30	Year 2 & Beyond

5. The results of this study indicate that bilingual program funding under present Texas law ($25 per pupil) is inadequate to meet program needs.

RECOMMENDATIONS FOR FURTHER STUDY

1. Bilingual education costs in states with large target populations should be studied to determine whether the cost data and program variations are comparable to those found in Texas or whether there are significant differences which would inhibit comparability and the drawing of more generalized conclusions on a nationwide basis.
2. While the area of pre-service training was outside of the scope of the present study, research in this area is urgently needed, since the answers to the questions of who is trained, how many are trained, and how well they are trained will affect bilingual education for years to come.
3. Useful research could also focus on the effects of declining school district enrollment on bilingual program staffing needs.
4. Further study is needed to determine the monitoring needs of bilingual education. Such research should focus on how best to assure that:
    a. Students in need of the program are identified and enrolled.
    b. Programs offered at the local level provide an adequate variety of subject areas.

c. The most fruitful teaching methodologies are used.

d. Adequately developed curriculum is used.

e. Adequate organization is present.

GENERAL RECOMMENDATIONS

1. Although this study determined that pre-service should not be included in the IDRA bilingual cost analysis, capacity building, including teacher training, should continue to increase, paralleling efforts to meet the educational needs of the entire target population. This necessitates large scale support though the quantity should lessen in future years.

2. Although this study represents an analysis of cost rather than a cost/effectiveness approach, a great degree of emphasis should be given to the accountability factor. Funds should be distributed so as to reach the areas of greatest need, with assurances of efficient and effective utilization.

Mr. JENNINGS. Do you have any opinions on the technical assistance centers which are being funded under the act or on the training programs which have just begun under the act?

Dr. PENA. I do not have on the former. On the latter we do have, and I think it is greatly overdue, and I think it needs to be maintained and continued. I think under the circumstances because of states mandating bilingual education they are having to resort to measures where a teacher is given 30 hours of instruction and be endorsed. I think teacher preparation is going to boost the program.

Mr. JENNINGS. Let me apologize to all of you on the record for the congressmen not being here. The chairman has announced a very extensive hearing schedule for the rest of the year for all these programs. He has tried to encourage many people to come in to testify. What happens, though, is that that good intention runs into conflict with the hard reality that most of the congressmen have to be on the floor most of the time in the afternoon. Therefore, if there was the great amount of interest as was shown this morning with so many of the congressmen being here and asking so many questions, you wind up with not enough time for all the witnesses to be heard adequately. But you can be assured that the hearing record will be printed and available to all the Congressmen. Most of the congressmen on the Democratic side, I know, read all the testimony last night because I talked to a number of them. So they are following these hearings with a great deal of interest, and I am sure they will be looking at this record.

Thank you.

We are recessed until tomorrow morning.

(Whereupon, at 1:45 p.m., the subcommittee adjourned.)

PART 3: BILINGUAL EDUCATION

WEDNESDAY, JUNE 8, 1977

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON ELEMENTARY, SECONDARY
AND VOCATIONAL EDUCATION,
COMMITTEE ON EDUCATION AND LABOR,
Washington, D.C.

The subcommittee met, pursuant to notice, at 9:40 a.m. in Room 2175, Rayburn House Office Building, The Honorable Carl D. Perkins (Chairman of the subcommittee) presiding.

Members present: Representatives Perkins, Blouin, Mottl, Heftel, Corrada, Kildee, Pressler, and Goodling.

Staff present: John F. Jennings, majority counsel; Nancy L. Kober, staff assistant; and Christopher T. Cross, minority senior education consultant.

Chairman PERKINS. A quorum is present this morning. I am going to ask all the witnesses to come around so we can expedite these hearings, in view of the fact that the House goes in session this morning at 10:00 a.m. We will not question the witnesses, unless the other members constituting the committee object, until we hear all the witnesses. I think that will save time.

The panel this morning consists of Mr. Gilman Hebert, Director of the Bilingual Education Program, St. John's Valley, Madawaska, Maine; Mr. Wayne Holm, Director of the Rock Point Contract School, Navajo Nation; Dr. Tomas Arciniega, Dean of the School of Education, San Diego State University, and Dr. Robert C. Melzi, Professor of Romance Languages, Widener College, Chester, Pennsylvania.

All you gentlemen come around.

Mr. Goodling, I think since we have one witness here from your area, you may want to welcome him or make some observation. If you do, go ahead.

Mr. GOODLING. I would say in relationship to Dr. Melzi, my son was very interested in Widener College. I don't know whether he will end up in that direction or not.

I certainly want to welcome you from Pennsylvania, not from my area, but close by. I suppose Congressman Schulze is your Representative from that area. We welcome you here today.

Chairman PERKINS. Do you want to say something at this time, Congressman Blouin?

Mr. **Blouin**. No.

Chairman **Perkins**. All right. We will start out with Mr. Gilman Hebert and the other witnesses will follow you. Just go ahead, Mr. Hebert. Identify yourself for the record, and tell what organization you are with, and so forth, so it will be clear in the record.

STATEMENTS OF GILMAN HEBERT, DIRECTOR, BILINGUAL EDUCATION PROGRAM, ST. JOHN'S VALLEY, MADAWASKA, MAINE; WAYNE HOLM, DIRECTOR, ROCK POINT CONTRACT SCHOOL, NAVAJO NATION; DR. TOMAS ARCINIEGA, DEAN, SCHOOL OF EDUCATION, SAN DIEGO STATE UNIVERSITY; AND DR. ROBERT C. MELZI, PROFESSOR OF ROMANCE LANGUAGES, WIDENER COLLEGE, CHESTER, PENNSYLVANIA

Mr. **Hebert**. Gilman Hebert, St. John's Valley Bilingual Education Program in Madawaska, Maine.

Chairman **Perkins**. Without objection, all of the prepared statements will be inserted in the record, but you go ahead and make your statement the way you want to proceed.

Mr. **Hebert**. Thank you very much for letting me testify this morning. I have a prepared statement, and I think the committee has received the statement. I would like to summarize the statement.

STATEMENT OF GILMAN HEBERT

Mr. **Hebert**. I think bilingual education for the Franco-Americans in Maine on the Canadian Border has meant very positive things. As a result of bilingual education in terms of students, students' self-image has improved, and this is backed up by hard data. The achievement levels of students has been attained in English and in French, the achievement level in English being higher than it was before the inception of the program. And, of course, in French the students are learning in the language they speak at home, which was not afforded them until bilingual education, due to the fact that they were, in fact, penalized for speaking French in school or on the school grounds. This no longer exists.

In terms of parent involvement, bilingual education has had the role of getting parents more involved in the educational process of their children, and greater pride has been evidenced on the part of parents as to the heritage and culture. They feel comfortable speaking in French at school in meeting with the teachers and for the parents who are not bilingual, who are English-speaking, they have seen a need to take courses in French. They no longer feel that it is un-American to speak French, and they are interested in learning the French language, along with the French who are interested in learning the English language.

In terms of staff development, the teachers who have been involved in the bilingual education program have been involved in extensive in-service training. Because of the bilingual education program and because it deals with heterogenous grouping and before that was homogenous grouping, teachers have had to look at needs of individual students, not only linguistically but culturally.

Teachers or administrators now are starting to question or looking at the criteria that they have been using for identifying special aid students, and so these are the kinds of things that are happening as a result of sensitivity toward bilingual, bicultural education due to the fact that Federal funding was available.

In terms of materials development, the materials that have been developed are dealing with the students' cultural and linguistic aspects of their background. It does reflect that, and that is very important in terms of getting to a positive self-image.

In terms of existing educational agencies, agencies are now starting to look at the needs of Franco-Americans in our area; teacher training programs are being organized; TV programs are being funded and are being put together to deal with the Franco-American linguistically, culturally, economically, geographically, et cetera.

I think that is basically a summary of my testimony.

[Mr. Hebert's complete statement follows:]

TESTIMONY ON BILINGUAL EDUCATION

Subcommittee on Elementary

Secondary & Vocational Education

June 8, 1977

Witness - Gilman Hebert

B-346C Rayburn House Office Building
Washington, D.C. 20515

SECTION I BILINGUAL EDUCATION ACCOMPLISHMENTS

The data included in this documentation is based on the seven year experience of bilingual education in the St. John Valley area. The project area is situated on that segment of the St. John River which serves as the natural boundary separating the United States and Canada. The St. John Valley Bilingual Education Program is funded under Title VII ESEA and is operating in three school districts. The St. John Valley Bilingual Education Program at the kindergarten through fourth grade levels has been approved by the Dissemination Review Panel, in Washington, D.C., as an exemplary project in bilingual education.

The following documentation indicates the accomplishments and/or changes which occurred due to implementation of bilingual education activities, instructional, staff development, community involvement, and materials development, funded under Title VII ESEA.

1. Effective involvement of students in education activities which are socially, economically, politically, and educationally related to their culture;
2. The students are learning more English as well as French;
3. Change of attitude, more positive by teachers, administrators, parents, and students vis à vis the French language;
4. Active participation of parents in school activities is more defined and has increased;

5. The in-service training program of the bilingual education program has initiated:
    a. evaluation procedures which are more flexible, more precise and better understood through the use of behavioral objectives;
    b. heterogenous grouping with greater stress on individualized instruction;
    c. accountability procedures and techniques;
    d. alternate teaching techniques and classroom management styles, including open classroom, team teaching, learning centers approach etc.;
6. Evaluating and documenting weaknesses and strengths in curriculum areas such as art and music;
7. The curriculum through the educational materials developed reflect the linguistic behavior of the target population;
8. Extensive involvement of community agencies; such as, historical societies, radio, t.v., and other news media in bilingual education related activities;
9. The achievement level on reading and math of program students on standardized tests indicates that these students participating in bilingual education are achieving at or above grade level as compared to those students not participating in bilingual education (refer to page 34);
10. Bilingual Project student achievement on nationally standardized tests has improved to average or above average levels

in comparison to below average levels achieved by the general student population prior to the inception of the bilingual education project (refer to pp. 16-26);

11. There exists a relaxed atmosphere among teachers, administrators, and students vis à vis using the French & English language within and without the classrooms and/ or schools.

SECTION II BILINGUAL EDUCATION RECOMMENDATIONS

Based on the experiences of the St. John Valley Bilingual Education Program, Title VII ESEA, the following recommendations are made concerning the laws and regulations for bilingual education:

1. That Local educational administrative units support and maintain bilingual education programs and objectives during and after federal funding.
2. That more flexibility be provided concerning membership requirements on local advisory councils to permit non-program student parents (anglos) to serve on and become actively involved in the project.
3. That high priority be given to teacher training in funding programs.
4. That program and product evaluation continue to be a critical area of concern in funding new programs.
5. That program continuity after federal funding become a higher criteria for approval of new projects.
6. That bilingual project objectives be specific enough to insure program integration within the total curriculum of the participating school system.
7. Materials used in the bilingual education classroom should reflect the local student's linguistic and cultural environment.

SECTION III APPENDICES

A. St. John Valley Title VII Bilingual Education Project Student Achievement Prior to Project Implementation.

The following section addresses itself to the impact of the St. John Valley Title VII Project on student achievement. In the original grant application dated May 22, 1970, it was documented that a high percentage of St. John Valley students fell below grade level norms across all of the language competency areas on standardized achievement tests. It was also documented by standardized tests in academic areas other than language skills, that a much higher percentage of "Valley" students achieved scores below National Norms than the 50% that could normally be expected.

In an isolated geographic area, where the French language was used between 60-90% of the time in homes and English was the principal language of instruction in the schools, it was not surprising to discover that student achievement in the schools was well below national norms. Children entered schools where their primary language for communication was forbidden by state law, and the use of French in class or around school property was at times severely punished. Children were made to feel, early in their school life, that their French language and culture was undesirable, and that to be Franco-American was to be less intelligent because intelligent people spoke English.

The following text and tables illustrate cultural influences and student achievement in the Project schools prior to the implementation of the Project in 1970 as documented in the original grant application for Title VII funds in May of 1970.

Linguistic competence

Until very recently, little or no direct cognizance was given the unique bicultural-bilingual characteristics of the student population in the instructional program of the school districts. Until as recently as last year all instruction had to take place in the English language by law and almost without exception, the instructional procedures and materials which were used were those generated for a monolingual-monocultural Anglo society. Both ability and achievement evaluation of the students was done with materials that made no provision for the unique language and other cultural characteristics of the "Valley" students.

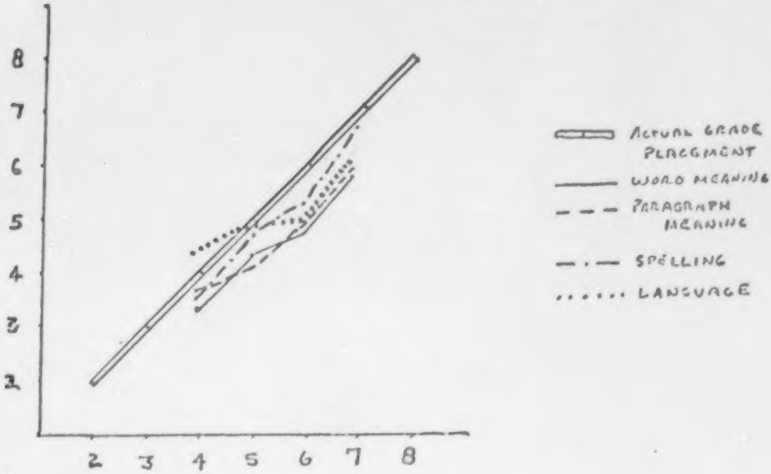
The extent of the students' French culture and competence in the language is demonstrated in the survey of high school students conducted by SAD #33. Seventy six percent of the girls and 85% of the boys reported they spoke French outside of school. Eighty-three percent of the girls and 90% of the boys reported they spoke French in their homes.

Similarly in SAD #24, surveys of the high school students revealed that 78% first spoke exclusively

French as a child. Forty six percent spoke exclusively in French when they began school. Seventy two percent speak exclusively French to their families.

In effect these educational practices referred to above constitute a series of barriers to educational success which many students found insurmountable and, at least, handicapped most of them. After initial failures due to the lack of provisions for the "Valley" students' language characteristics, and the loss of motivation which follows repeated failure, the gap between national norms and the norms for "Valley" students in the language skills were

FIGURE 1



typical of those in Figure 1 for SAD #33 for 1969.

Table 1 shows the percentages of pupils below grade level in English language skills.

Table 2 and 3 show the results of achievement testing in Grades 6 and 7 for SAD #24 for 1969-70. The tables depict graphically that only one of the six groups in both grades 6 and 7 consistently scored above the norm for the group on the language competence tests of Word Meaning, Paragraph Meaning, Spelling, and Language.

Tables 4, 5, 6, 7, and 8 show the results of 1969 achievement tests for Madawaska in the language areas. Again these tables depict graphically that consistently the largest percentage of students fall below the grade level norm across all of the language competency areas.

TABLE 1

Percentages of Students Below Grade Level in Language Skills for SAD #33

Grade	Stanford Achievement Subtests														
	Word Meaning			Paragraph Meaning			Spelling			Study Skills			Language		
	%'66	%'67	%'69	%'66	%'67	%'69	%'66	%'67	%'69	%'66	%'67	%'69	%'66	%'67	%'69
Grade 4	82	87	62	77	93	62	66	85	--	52	69	--	61	78	79
Grade 5	83	76	90	71	68	88	60	62	--	--	--	--	62	62	81
Grade 6	87	79	79	84	68	81	65	65	--	--	--	--	66	66	65
Grade 7	--	--	--	84	85	--	65	58	--	--	--	--	78	70	--
Grade 8	--	--	--	78	83	--	62	67	--	--	--	--	90	84	--

TABLE 2

Results of the Stanford Achievement Tests, Form X - Grades 6 - 1969-70 - Norm 6.5 for SAD #24

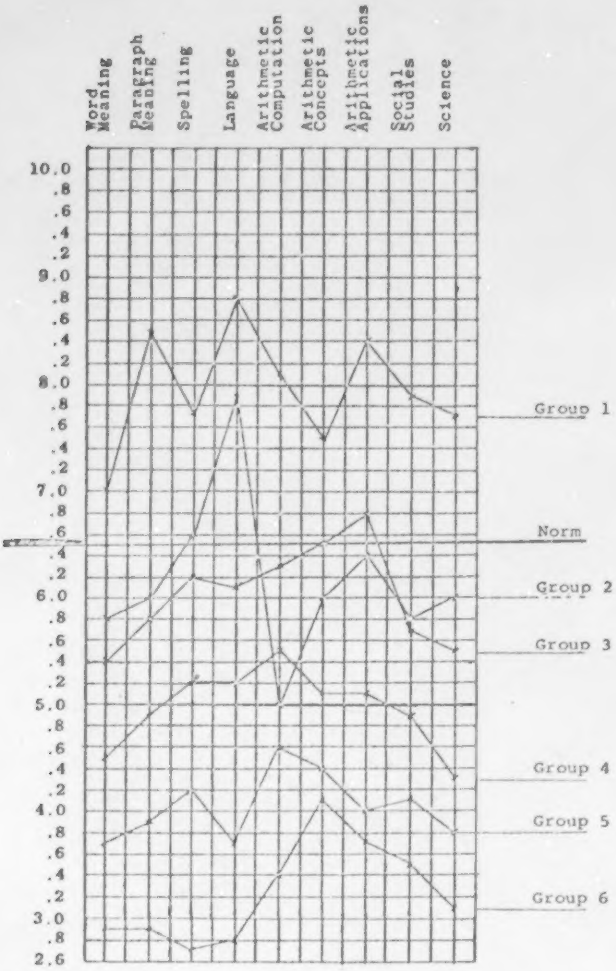


TABLE 3
Results of the Stanford Achievement Test Form X - Grades 7
1969-70 - Norm 7.5
for SAD #24

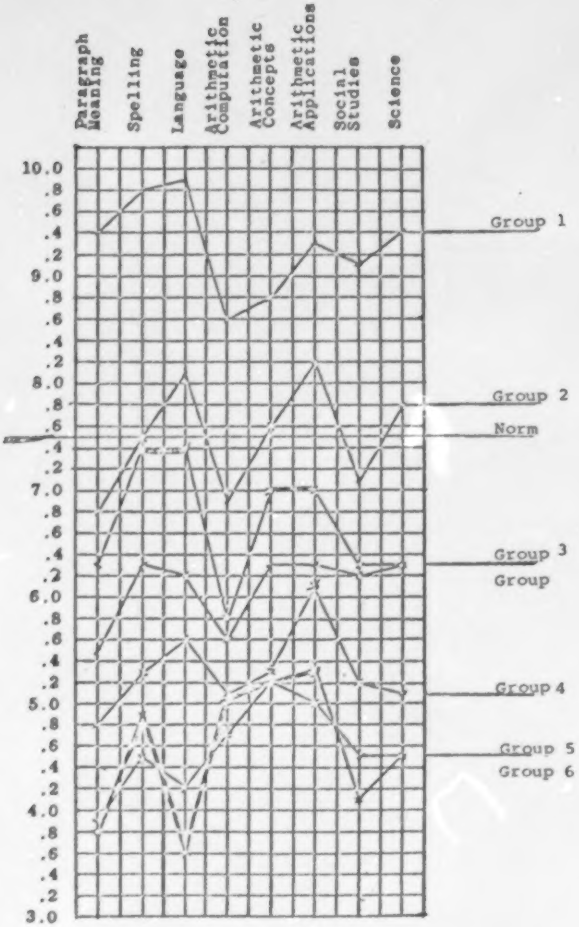


TABLE 4

SAT Word Meaning Test Results -- Madawaska -- 1969

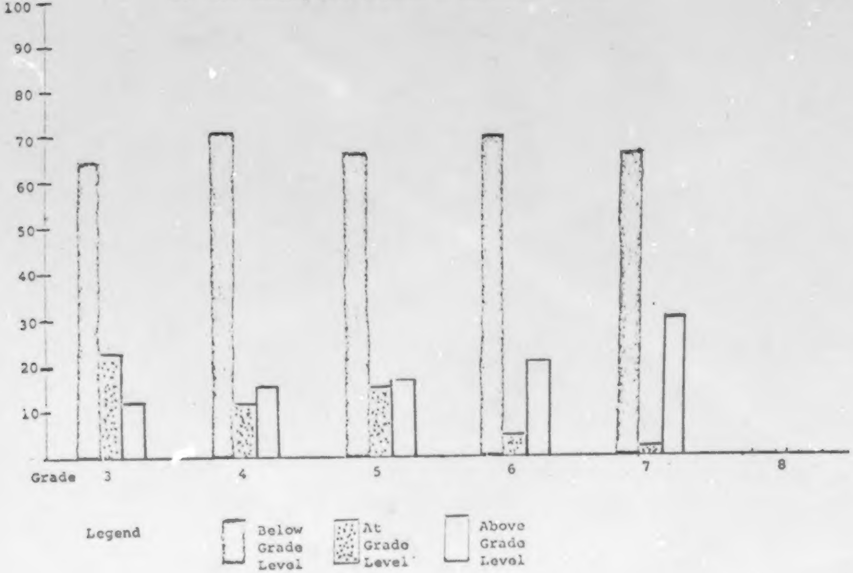


TABLE 5

SAT Paragraph Meaning Test Results — Madawaska--1969

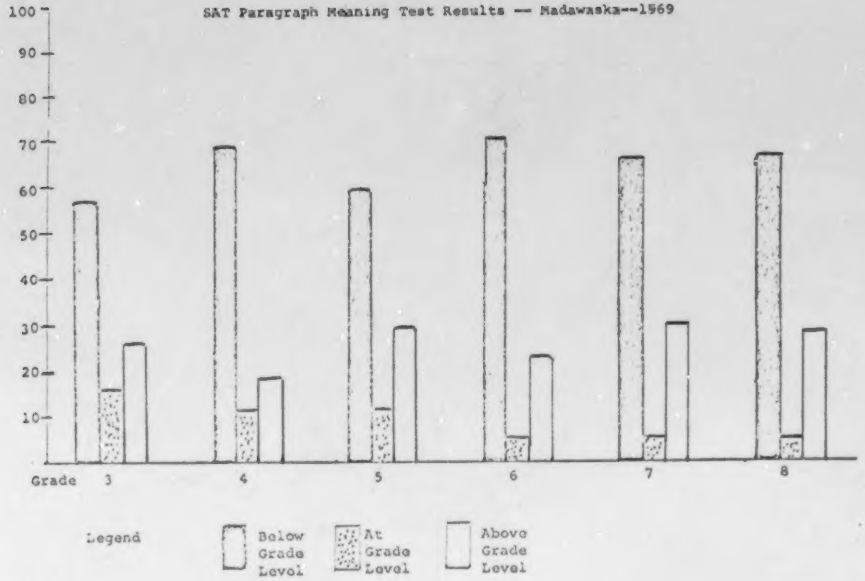


TABLE 6

SAT Language Test Results -- Madawaska -- 1969

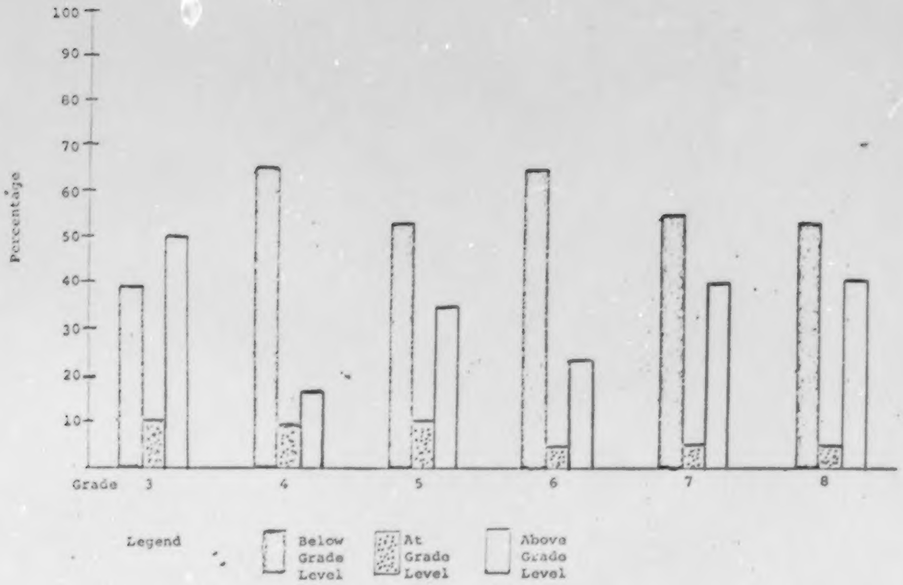


Table 7

SAT Spelling Test Results -- Madawaska -- 1969

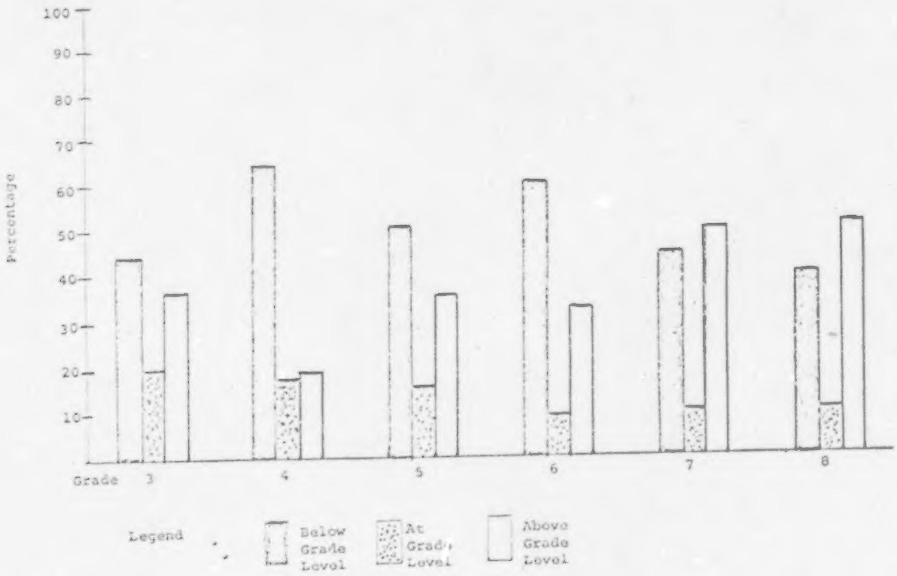
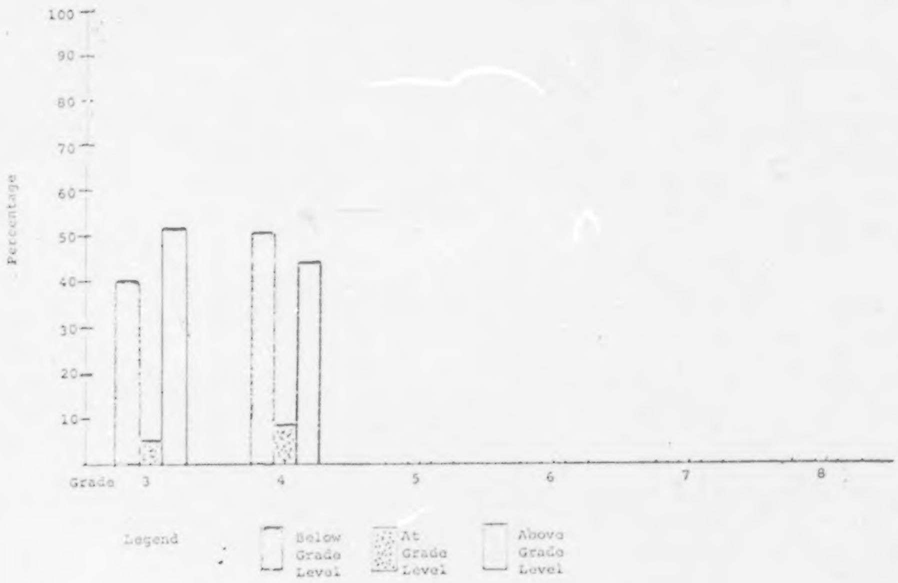


Table 8

SAT Word Study Skills - Test Results -- Madawaska -- 1969



Educational needs of students

Student performance on standardized tests in academic areas other than language skills indicates a much higher percentage of "Valley" students below the national norm that the 50% that can normally be expected. Table 9 showing the results of Achievement tests in 1966 and 1967 for SAD #33, indicates these percentages. Table 10 shows the results of the 1969 testing. Together, these tables show that the majority of students are not achieving at expected norms.

TABLE 9

Percentages of Students Below Grade Level in Achievement Areas

Grade	Stanford Achievement Subtests									
	Arithmetic Computation		Arithmetic Concepts		Arithmetic Applications		Social Studies		Science	
	%'66	%'67	%'66	%'67	%'66	%'67	%'66	%'67	%'66	%'67
Grade 4	68	91	62	59	70	87	65	83	72	89
Grade 5	53	72	58	55	63	76	82	73	85	77
Grade 6	70	79	80	76	80	77	80	82	84	89
Grade 7	80	80	80	82	81	73	87	84	84	81
Grade 8	63	80	66	81	80	83	85	84	77	80

TABLE 10

Median Grade Scores for SAD #33 on
Stanford Achievement Subtests-1969

Subtest	Grade 3	4	5	6
Actual Grade Placement	3.8	4.8	5.8	6.8
	Median Grade Scores			
Arithmetic Computation	3.9	4.6	4.9	6.2
Arithmetic Concepts	3.5	4.3	5.3	6.1
Arithmetic Application	--	4.0	4.6	5.6
Social Studies	2.9	4.2	4.7	5.8
Science	2.9	4.4	4.5	5.3

Tables 2 and 3 in Section A for SAD #24 show essentially the same results. Only one of the six groups consistently scored at or above the norm for the group in the academic achievement areas other than language skills.

Table 11, 12, 13, 14, and 15 present similar results for Madawaska. The largest percentage of the students scored below expected grade level across all curriculum areas for all grades.

TABLE 11

SAT - Science Test Results -- Madawaska -- 1969.

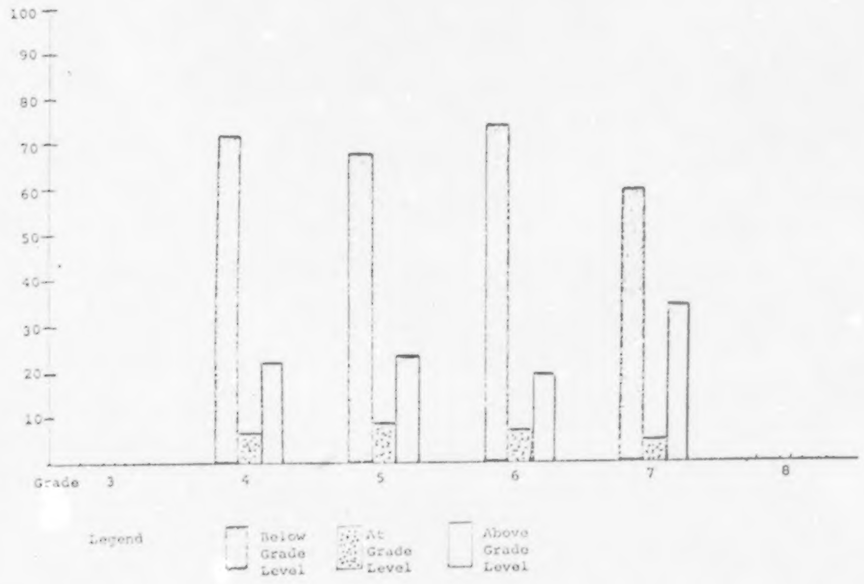


Table 12

SAT Social Studies Test Results -- Madawaska - 1969

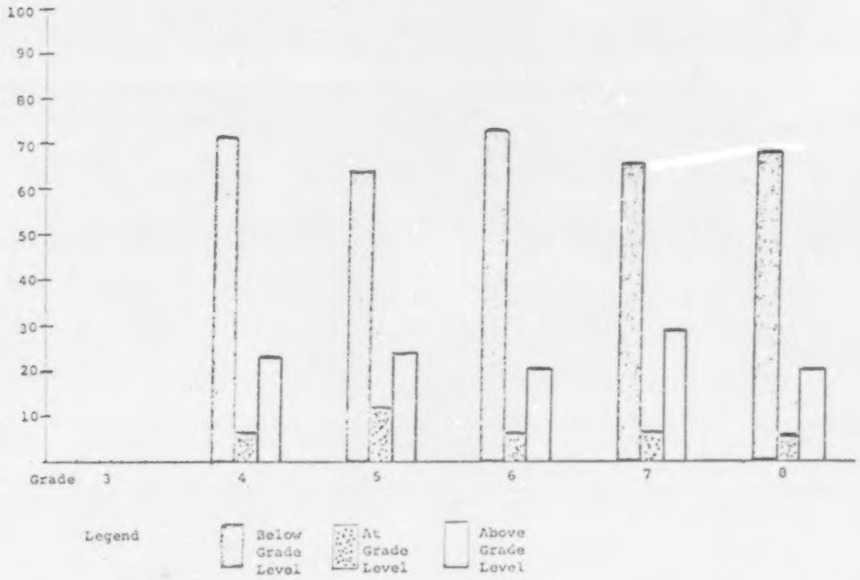


Table 13

SAT Arithmetic Applications Test Results — Madawaska - 1969

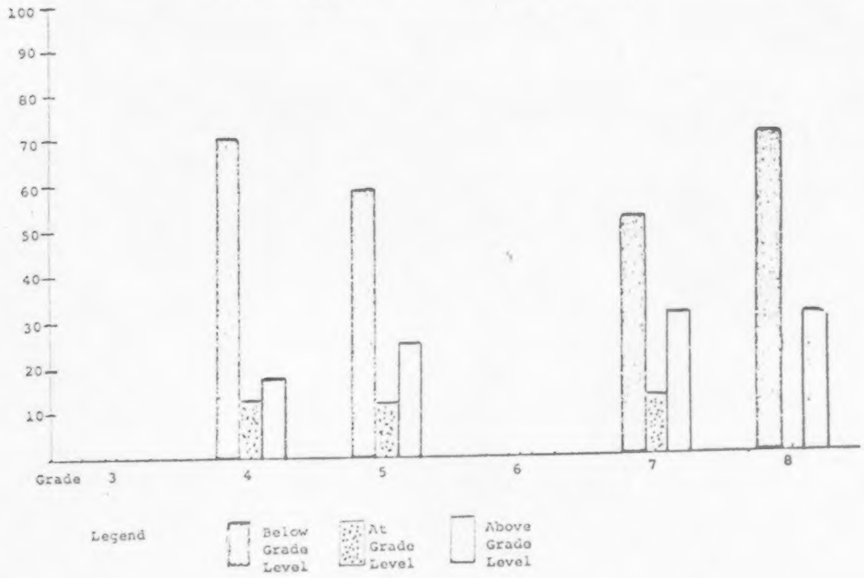


TABLE 14

SAT Arithmetic Computations Test Results -- Madawaska - 1969.

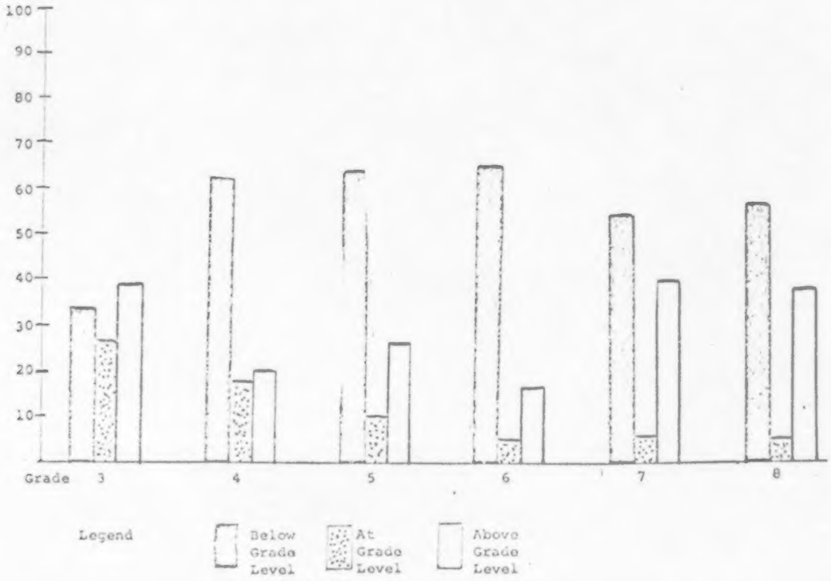
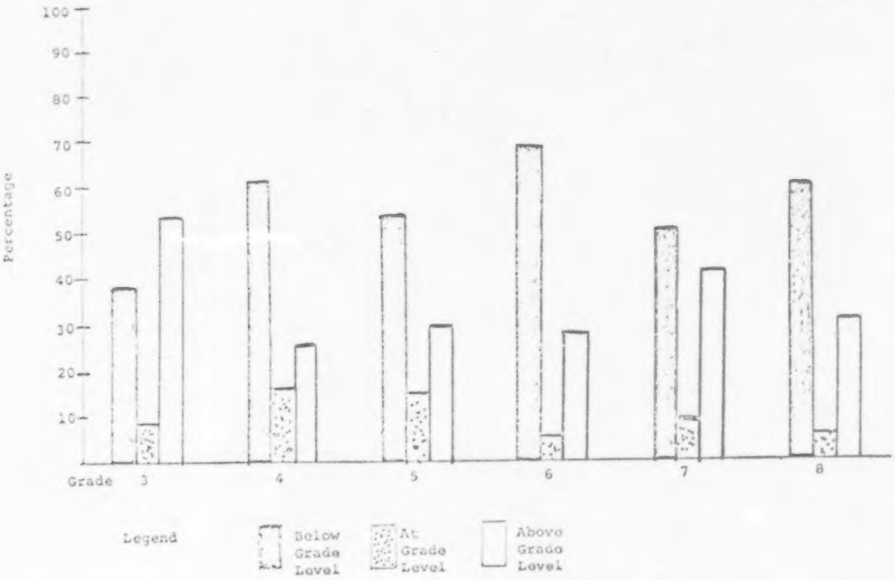


TABLE 15

SAT Arithmetic Concepts Test Results — Madawaska — 1968



These high percentages below the national norm all across the curriculum spectrum are the result of not only the language difficulties, but associated cultural values. If one can accept the cultural loading, as well as other problems of standardized pencil and paper IQ tests, and accept these tests as a prediction of academic success, the following chart indicates relatively large percentage shifts from the higher groupings to lower groupings as students are processed through school. Normally, one should not expect a decrease in mean IQ from 5th grade to 12th grade. This is not the case according to Table 16 prepared for SAD #33. The shift in percentage of students into lower I.Q.ranges as grade level increases in striking.

Education, as it has been constituted traditionally in the "Valley", has not proved to be the way up the socio-economic scale for the majority of the inhabitants of the St. John Valley. The formal education pattern for the majority indicates that students either drop out of school or graduate and go into farming or leave the area to take industrial jobs in southern New England.

In a study made for SAD #33, the respondents indicated most often Lewiston, Maine, and the State of Connecticut as other places where citizens have resided. In the same study Connecticut was the place most frequently listed as where the grownup children of the Valley natives are residing. In these industrial areas, these people tend to be locked into levels of employment below their capability due to their inability to use the English language well.

Table 16

Results of California Test of Mental Maturity -- 1967-68

	Grade									
IQ Range	3	4	5	6	7	8	9	10	11	12
130-above	0%	1%	0%	1%	2%	0%	2%	0%	6%	2%
115-129	5	21	17	31	23	13	7	10	12	9
100-114	40	49	32	39	48	52	16	19	20	27
85-99	35	17	34	19	20	32	24	26	24	32
70-84	20	9	14	10	7	3	41	38	34	29
69-below	0	3	3	0	0	0	10	--	--	--

B. Student Achievement in Title VII Bilingual Education Project 1970-1977.

Student achievement on standardized tests during the first five years of project operation in grades K through 5 are reproduced below from the 5 year evaluation reports, 1970-1975. This data compared to pre-project data clearly indicates the positive impact of the Title VII Bilingual Education project on student achievement. Almost without exception "Valley" students K-5 earned mean scores in reading, math, language, and spelling at or above average scores on nationally standardized tests and above non-program student achievement. Comparative data between bilingual program students and non-program students are shown in Tables labeled 4 and 5 on page 34. This data is taken from a study conducted by AIR under contract from USOE, August 1975.

Longitudinal Study of Student Achievement

Table 1 presents longitudinal data of student achievement in reading and mathematics as measured by the Metropolitan Achievement Tests during the five years of program operation. Data for kindergarten students in the 1970-1971 school year are not presented because the Metropolitan Readiness Test, not the Metropolitan Achievement Test, was administered that year. The following discussion examines the reading and mathematics scores of the kindergarten through fifth grades. The results were analyzed and will be reported 1) by grade level and 2) by student group.

Grade Level

By considering each horizontal section of data, the achievement of each of the grade levels across the five years of the Project can be reviewed.

Kindergarten: During the second, third, fourth and fifth years of the program, students earned average and above average scores (Stanine 6 and 7) in both reading and mathematics. It should be noted that in the 1973-1975 school years, students scored in the 7th stanine in both reading and mathematics.

Grade 1: All five first grade classes during the five project years achieved remarkably similar and consistent results. With the exception of the reading scores for the 1972-1973, and 1974-1975 years, all scores were one month below or one month above actual grade placement, and at the fifth stanine. Third and fifth year program students scored at the sixth stanine and earned a grade equivalent of 2.0 in reading.

Grade 2: The results for the four program years differ substantially. Second grade students in 1971-1972 were somewhat below grade level in reading and mathematics. In 1972-1973 the second grade students scored near grade level in reading, and above grade level in mathematics. In 1973-1974 second grade students scored above grade level in reading and substantially above grade level in mathematics. In the 1974-1975 second grade students scored at grade level in reading and above grade level in mathematics.

Grade 3: Some variability in grade equivalent scores on the different subtests was shown by the third grade students. In 1972-1973 reading and spelling scores were substantially below, mathematics scores were near, and the language score was at their actual grade placement. In 1973-1974, the total reading mean grade equivalent score was the only score below grade level. The mean grade equivalent score of total mathematics, language, and spelling are above grade level. In 1974-1975 all subtest mean grade equivalent scores are at or above grade level.

Grade 4: In 1973-1974, students earned average stanine scores (5) in reading, mathematics, language, and spelling. The total reading mean grade equivalent score was substantially below, the total mathematics and spelling scores slightly below, and the language score slightly above their actual grade placement. In 1974-1975 total reading and total mathematics scores are below grade level. The language and spelling are above and at grade level respectively. All subtest scores are at the fifth stanine.

Student Group

The following discussion focuses on the results presented in Table 4 by student group; that is, a group of students is followed sequentially through its two, three, four, or five years in the program. For example, the performance of students in grade 1 in 1970-1971, in grade 2 in 1971-1972, in grade 3 in 1972-1973, in grade 4 in 1973-1974 and grade 5 in 1974-1975 are compared.

Kindergarten 1971-1972: This group maintained its performance level from Kindergarten in 1971-1972 through the first grade in 1972-1973, second grade in 1973-1974, and third grade in 1974-1975. During the four years, its reading level was at the sixth stanine, and at the end of the first and second grades, these students earned mean grade equivalent scores slightly above their actual grade placement. While the group's mathematics achievement may have dropped slightly between kindergarten and grade 1, from the sixth to the fifth stanine, they earned an above average stanine score of 7 at the end of the second grade and a stanine of 6 at the end of the third grade.

Grade 1 1970-1971: This group of students was in the first grade during their first year in the Title VII Project. Then, they scored near their actual grade placement in reading, and at their grade placement in mathematics. When these students were in second (1971-1972), third (1972-1973), fourth (1973-1974), and fifth (1974-1975) grades, their reading scores declined below their actual grade placement. The mathematics scores also declined in the second grade to three months below grade placement and in the third and fourth grades, to one month below grade placement. Their performance in the fourth grade was comparable to their third grade performance; the Total Reading stanine score was higher and the remaining mean grade equivalent scores were slightly below or slightly above the students' actual grade placement. In the fifth grade the students' subtest mean grade equivalent scores are below grade level although they earned average (4-5) stanine scores.

Grade 1 1971-1972: This group of students started in the Title VII Project in Kindergarten in 1970-1971. As previously noted, because of a change in test, data from 1970-1971 are not available. This group of students scored quite consistently in all years, earning stanine scores of 5 and 6. The group scored one month below grade placement in reading and mathematics in the first grade. The students maintained their position in reading in the second grade and scored one month above grade placement in mathematics. In the third grade they scored relatively lower in reading, but above their actual grade placement in mathematics, language and spelling. In the fourth grade they scored below grade level in reading and mathematics but at or above grade level in language and spelling.

Kindergarten 1972-1973: This group of students scored above average in reading in kindergarten (stanine 7), whereas they earned an average score (stanine 5) in the first grade. In mathematics, those same students scored in the sixth stanine in kindergarten, but in the fifth stanine in the first grade. By the end of the second grade, these students maintained grade level status in reading and above grade level status in mathematics.

Kindergarten 1973-1974: This group of students earned above average stanine scores of seven for reading and mathematics. In the first grade they maintained above grade level status although the stanine earned was average (5-6).

Results of Metropolitan Achievement Tests--Total Reading, Total Mathematics, Language, Spelling, Science, and Social Studies Scores During the Five Years of Project Operation - 1970-1975

Table 1

Grade	Score	1970-1971			1971-1972			1972-1973			1973-1974			1974-1975		
		SS	Stanine	GE	SS	Stanine	GE	SS	Stanine	GE	SS	Stanine	GE	SS	Stanine	GE
K	Total Reading				27	6	-	29	7	-	28	7	-	29	7	-
	Total Mathematics				26	6	-	27	6	-	30	7	-	30	7	-
1	Total Reading	38	5	1.8	39	5	1.8	42	6	2.0	40	5	1.9	42	6	2.0
	Total Mathematics	44	5	1.9	42	5	1.8	41	5	1.8	43	5	1.9	45	5	2.0
2	Total Reading				52	5	2.6	54	5	2.8	57	6	3.1	55	6	2.9
	Total Mathematics				55	4	2.5	61	6	3.0	65	7	3.3	62	6	3.1
3	Total Reading							57	4	3.1	61	5	3.5	65	6	3.9
	Total Mathematics							71	5	3.8	75	6	4.2	76	6	4.3
	Language							69	5	3.9	73	5	4.5	75	6	4.7
	Spelling							63	5	3.5	67	6	4.1	68	6	4.2
4	Total Reading										68	5	4.3	71	5	4.6
	Total Mathematics										80	5	4.7	81	5	4.8
	Language										77	5	5.0	80	5	5.4
	Spelling										73	5	4.8	74	5	4.9
5	Total Reading													75	4	5.2
	Total Mathematics													86	5	5.4
	Language													80	4	5.4
	Spelling													80	5	5.8
	Science													80	5	5.4
	Social Studies													79	4	5.1

Longitudinal Study of Student Achievement in French

The ability of program students to understand spoken French at the first grade level was assessed by the Common Concepts Foreign Language Test - French Version. This 80-item test required the students to listen to a stimulus sentence read by the tester and then to circle one of four pictures which the sentence represented. All first graders completed Form I as a pre-test and Form II as a post-test. A t-test for correlated data was used to compare the pre and post-test scores.

Table 2 reports the Grade 1 students' pre and post-test mean scores on the Common Concepts Foreign Language Test for the five years of project operation. The right hand column shows the differences between pre and post means. With the exception of students during the first project year, the performance of the Grade 1 students was comparable; the 1970-1971 students received lower scores than the other group.

Table 2

Results of Common Concepts Foreign Language Test
During the Five Project Years

Year	$\overline{X}$ Pre	$\overline{X}$ Post	Difference
1970-1971	42	49	7
1971-1972	52	61	9
1972-1973	53	60	7
1973-1974	50	59	9
1974-1975	49	58	9

Table 1

Results in Stanines and Grade Equivalents on the Metropolitan Achievement Tests, for Total Reading and Total Mathematics by Grade Level and by Academic Year

Grade	Subject	1970-1971		1971-1972		1972-1973		1973-1974	
		Stanine	GE	Stanine	GE	Stanine	GE	Stanine	GE
K	Reading	-	-	6	-	7	-	7	-
	Mathematics	-	-	6	-	6	-	7	-
1.8	Reading	5	1.8	5	1.8	6	2.0	5	1.9
	Mathematics	5	1.9	5	1.8	5	1.8	5	1.9
2.8	Reading	-	-	5	2.6	5	2.8	6	3.1
	Mathematics	-	-	4	2.5	6	3.0	7	3.3
3.8	Reading	-	-	-	-	4	3.1	5	3.5
	Mathematics	-	-	-	-	5	3.8	6	4.2
4.8	Reading	-	-	-	-	-	-	5	4.3
	Mathematics	-	-	-	-	-	-	5	4.7

Comparisons between Title VII and non-Title VII pupils were also made possible with additional data furnished to AIR by two of the individual districts. For Madawaska, results of SRA tests applied in October 1974 to both Title VII and regular classes are shown in Table 2.

Table 2

SRA Grade Equivalents for Title VII and Regular Classes,
Grades 2, 3, and 4

Grade Placement	Subject	Title VII Mean*	Title VII SD*	Regular Classes Mean*	Regular Classes SD*
2.2	Reading	2.4	1.2	1.9	0.6
	Language Arts	2.6	1.2	2.0	0.4
	Math	2.6	0.7	2.1	0.7
3.2	Reading	3.7	1.0	3.0	1.0
	Language Arts	3.9	1.3	3.1	0.7
	Math	3.4	1.2	2.9	0.7
4.2	Reading	4.7	1.3	4.0	1.0
	Language Arts	5.0	1.6	4.3	1.2
	Math	4.6	0.9	4.1	1.0

*These values have been derived from quartiles and medians, and are approximate.

S.A.D. #24 used the Metropolitan series of tests throughout the schools. Besides Title VII, they also had the Follow Through program, but were able to supply the following data for these subgroupings and for two grades

Table 3

Mean Grade Equivalents on MAT for Grades 1 and 2
with Subgroupings, for May 1974

Grade Placement	Subject	Title VII Follow Through	(N)	NFT*	(N)	Non-Title VII Follow Through	(N)	NFT*	(N)
1.8	Reading	1.6	(22)	2.0	(21)	1.3	(42)	1.5	(18)
	Mathematics	1.5	(22)	2.0	(21)	1.2	(42)	1.3	(18)
2.8	Reading	2.7	(21)	3.5	(12)	1.9	(46)	2.2	(37)
	Mathematics	2.9	(21)	3.3	(12)	1.9	(46)	2.0	(37)

*non-Follow Through

Interpretation

In Table 1 (all Title VII students), following single groups (i.e., reading diagonally downward), the results for each successive group get better, suggesting that the program may be refining its techniques and improving its achievements over time.

In Table 2 (Madawaska), again the Title VII students are sometimes a trifle behind grade placement in their average achievement, though there are no cumulative losses. They are far ahead of the regular classes in every case.

In Table 3 (Van Buren), the superiority of the Title VII students is patent; the lower of their subgroups (Follow Through) have higher performances than the better of the non-Title VII subgroups (non-Follow Through).

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Chairman **Perkins**. We thank you very much. We will hear, then, from the next gentleman. Identify yourself for the record.

STATEMENT OF DR. ROBERT C. MELZI

Dr. **Melzi**. I am Robert C. Melzi, Professor of Romance Languages and Director of Bilingual Education in Widener College, Chester, Pennsylvania.

First of all, I would like to thank you, Mr. Chairman, and the members of the committee for allowing me to testify here, and I would like to testify for those who sometimes feel like the forgotten citizens of Pennsylvania and Delaware. The needs of the Puerto Ricans—and many of them are recent immigrants because of migratory situations and because they have been agricultural workers in Puerto Rico and came over and that is all they could find—are unbelievable in the magnitude of the problems and can only be witnessed by somebody who has visited some of the farms or some of the sites and some of the dwellings where these people can and have to live.

But essentially what we are interested in is what can be done in order to save a complete generation of youngsters, and I believe, frankly, after four years of intimate work with the youngsters, that the only solution is bilingual education.

When we arrive at the elementary level, sometimes English as a second language can be a solution, but when you come to junior high, when these kids are confronted suddenly with hard subjects in a language, they don't master completely unless those subjects are given in their own language, Spanish; these kids get frustrated and drop out. The problem of dropouts among high school and junior high kids is tremendous, and I would respectfully suggest that we could change this trend if we were to go more deeply and thoroughly in the field of bilingual education.

Once the kids have mastered the language, if anyone feels that it would be proper for education to be continued in English, there is nothing wrong with that, but at least these kids will be saved.

In our experience we have found out that whenever instruction was given in Spanish, a pride of heritage was instilled both in the adults and in the children, and they did not become less American; as a matter of fact, they became more American, became better adults and better children.

I mentioned the adults because I believe that education is inextricably connected. You cannot have good children unless the situation at home has been remedied, and the situation at home can be remedied if we have at least the rudiments of education at home. We have been involved now for some time also in doing adult basic education. It is very simple for a teacher who is not familiar with conditions at home to tell a kid, why don't you get your father or your mother to help you, but the father and mother, if they are illiterate, how can they help?

Finally, there is one point I would like to emphasize, that funds should be given with a certain amount of latitude to the small districts. We have several small districts in the area that have not been instructed properly, so there are pockets, 160 students in one, 60 in another, 100 in the third one, where, because of lack of funds, the children have not been identified.

If we were to be able to give the school districts sufficient funds, all of a sudden kids who are only superficially English-speaking would be found to be tremendously deficient, and that is probably one of the main points.

The final point I would like to mention is that if funds were to be given to districts in order to educate the teachers and the administrators, themselves, we would find a much easier situation. We are confronted with second and third generations, the sons and daughters of immigrants, and they think in terms, well, if dad could make it—as they say in the vernacular, "hack it"—without any bilingual education, why should the Puerto Rican children do it.

The problem is different. There is a problem that maybe sometimes we forget that the Puerto Rican children are citizens of the U.S. We also forget that there are 80 years' difference. We also forget that theoretical consideration will not help a generation of children who will be lost, and I believe our foremost consideration is duty to these children who, with help, will become citizens and taxpayers and, without, will become burdens to the society.

Thank you, Mr. Chairman.

[Dr. Melzi's complete statement follows:]

Testimony of

Robert C. Melzi, Ph.D.

in front of the Subcommittee on

Elementary, Secondary, and

Vocational Education

The Hon. Charles D. Perkins, Chairman

on Wednesday, June 8, 1977

Widener College
Chester, Pa.

Chairman **Perkins**. You made a good statement.

The other gentleman, identify yourself for the record.

STATEMENT OF DR. TOMAS ARCINIEGA

Dr. **Arciniega**. Thank you. My name is Tomas Arciniega. I am Dean of the School of Education at San Diego State University.

As you have indicated, I will assume that the testimony that I sent on in has been read, and we will proceed from there with a capsule summary of what I consider to be the critical points there.

My interest in coming before you is to speak directly to the need for institutional changes at the higher education level needed in order to support the congressional initiative at the Federal level in the development of bilingual public school programs, so specifically what I am here to do is to present a case study on one dean's perspective of the importance and very positive impact of title VII funding and programs, at least as far as we are concerned at San Diego State University.

The testimony that I sent in presents, first, a rationale, and I harp back to the principal findings in the research literature having to do with minority problems, and, of course, relate to the curriculum issues provided in the whole rationale of bilingual, the problems having to do with the use of minority languages and how that needs to be translated into goals, the whole staffing pattern problems, and again which title VII is addressing rather effectively, and, fourthly, the exclusionary aspects of typical public schools programs with regard to minority communities, again, as title VII is addressing rather directly and ineffectively at least as far as the San Diego area goes. Lastly, I think the general pejorative, negative perspective on the side of the public school guidance and counseling and testing personnel as regards ethnic minority and bilingual backgrounds of the student clans that they purport to serve.

Those are the basic findings that we have used essentially to map out a direction for change to title VII bilingual education and cross-cultural educational involvements at San Diego University.

We have been working directly with all the public school districts in our area in providing technical support needed to help in the development of their efforts in this area. We have been working with community colleges as well as other state agencies.

Without belaboring that point, let me provide just a very quick summation of some base facts that, thanks to congressional initiative in the bilingual education area, things have begun to happen, and we can point to it very directly in San Diego. As a result of title VII primarily, we have been able to serve 107 school districts in Southern California, Southern Arizona, and Southern Nevada.

Secondly, we have worked directly with over 3,000 public school educators, nearly half of whom are teachers.

Thirdly, we have provided direct technical services in support in the areas of oral language assessment, pilot testing of bilingual materials, bilingual teacher training strategies, bilingual curriculum development, school-community relations, in-servicing of public school personnel, bilingual program planning, and simple needs assessment as regards that whole area.

We have provided ongoing faculty development assistance to the regular school of education faculty and staff personnel in some key task areas related to this whole thrust.

Fifthly, we have been able to provide technical assistance and support to our state commission on teacher preparation and licensing, which is in a very influential position in our state as regards the needed complementary state credentialing efforts as regards the maintenance of the thrust and momentum in bilingual education in California.

We have been able to provide direct technical support to the California State Legislature, and, in particular, the legislators that are developing state laws which are complementing the Federal initiative at the state level.

Lastly, in that area, we have been able to provide support and assistance to specify ethnic minority community groups who are interested in obtaining additional information in bilingual education, and so on.

Those are some simply stated base facts that we can point to very quickly as far as some very positive happenings. However, they don't tell the whole story. They don't indicate, for example—and perhaps in some ways from a dean's perspective—some of the things that happen as a spin-off part to the specific intents are oftentimes equally or more important in terms of the total institutional change that we are able to effect.

I refer specifically to the fact that, thanks to title VII, we have been able to develop a fuller school-wide and university commitment to that whole bilingual and cross-cultural teacher education thrust at our institution.

Secondly, we have been able to complement with regular university funds other bilingual cross-cultural teacher training and personnel development efforts which could not have happened without that kind of a push.

Thirdly, we have been able to justify very directly in a programmatic sense the recruitment of ethnic minority faculty members, and we have been able to demonstrate that it isn't true that you can't find them. Given the program, and given the kind of institutional commitment, we have been able to recruit rather effectively the type of personnel that can organize and implement quality programs in this new area. We have been able to effect needed curriculum reforms throughout our programs which complement bilingual education. We have become more directly involved in off-campus types of involvements as a school of education. We have developed very extensive linkages not only with school districts in our immediate area but throughout Southern California, Southern Arizona, and Southern Nevada.

In cooperation with community colleges we have been able to articulate the bilingual teacher aid programs with our basic credential and other efforts at our institution, and, in addition, we have been able to provide technical cooperation and support to the state department bilingual education office in working with them in the assessment and the development of more adequate measures for identifying bilingual children and, in fact, have been working directly with them in accomplishing some basic research and compilation of data as regards to the total number of bilingual kids in California on a district-by-district basis.

In short, the best way to sum it up is title VII has been instrumental, at least as far as the School of Education at San Diego State University is concerned, in enabling us to become a viable resource unit in this bright new area for school districts in the area, for related disciplines and other departments university-wide and very specifically for school districts in ethnic communities, in particular, in our area.

The last few years have been busy. There has been one heck of a tide, an avalanche of multiple problems connected with the initiation of new kinds of directions and efforts, but it has been well worth the effort in terms of getting our School of Education more directly involved in providing the type of support to public schools that I feel is critically important.

As I have indicated in my testimony, I have never seen Federal dollars or Federal programs put to better use, at least as far as San Diego State University is concerned.

I want to thank you, Mr. Chairman, and the rest of the committee, for allowing me to come before you, and I will be glad to take questions.

[Dr. Arciniega's complete statement follows:]

THE ROLE OF BILINGUAL EDUCATION IN PROMOTING NEEDED REFORMS IN AMERICAN PUBLIC SCHOOLS AND UNIVERSITIES

by

Tomás A. Arciniega
Dean, School of Education
San Diego State University

Testimony presented to the Subcommittee on Elementary, Secondary, and Vocational Education at a hearing on Bilingual Education on June 8, 1977 in Washington, D.C.

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Chairman **PERKINS**. Thank you.

Mr. Holm, go ahead, and then we will ask questions.

STATEMENT OF WAYNE HOLM

Mr. **HOLM**. I am Wayne Holm, from Rock Point Community School on the Navajo Reservation. I come from a small rural school where grants and contracts are running out at the end of this month. The ones that begin in July are not ensured. I came on fairly short notice.

Rock Point is a small community controlled school on the Navajo reservation. It is one of a hundred or more communities on the reservation. It is one of five that is taking advantage of the Public Law 93-638 to contract for the operation of their own school, and our experience at Rock Point has been that community control of the school and the language of instruction in the school have, of necessity, gone together because on the Rock Point Navajo Reservation most Indian tribes do not have certificated teachers who are capable of receiving either bureau certification or state certification, and, as a result, community control of the school is absolutely essential if the communities are able to implement effective programs in bilingual education.

Rock Point has been a bureau school in the past. In 1963 and 1964, an intensive program of English as a second language was implemented. The results were significantly better than bureau schools in the surrounding areas, and the school became a training center for English as a second language on the Navajo Reservation.

In 1967, the school did begin rather primitive efforts at bilingual education, making use of title I funds. In 1971, they were finally able to obtain title VII funds and to put together a full-blown bilingual program. In 1972, the communities contracted for the operation of the school. The school is run by a community-elected board of six men from the community, only one of whom speaks any English at all. The community-elected board does all hiring, firing of the staff of 100 people or more, manages a budget of a million and a quarter dollars, makes all policy decisions at the school.

Beginning in 1975, 1976, 1977, we have begun to get data, most of which has been the use of the Stanford achievement test given in February in comparison with bureau schools to justify the fact that three-quarters of our staff do not have degrees, three-quarters of them are Navajos, people working toward degrees, but people who do not have degrees.

By 1975, we were getting children who had begun initial literacy in Navajo and had reached at least fourth grade level in Navajo. In the program at Rock Point, children come in from a community where English is a foreign language. Ninety-five to 99 percent of the children who enter our school are either monolingual in Navajo, or Navajo-dominant.

It is 100 miles to the nearest town where English is needed for communication purposes. Most of the schools in the past have been taught in English by non-Navajo-speaking teachers. It is only in the last 20 years you have had a significant number of Navajo teachers. Most of the Navajo that is spoken in school is spoken by aides who are in subordinated roles.

The Rock Point children enter school in kindergarten. The program is set up where there are two Navajo teachers, one English language teacher. Some of these people are certified, some are not. The instruction in Navajo goes on for reading readiness and math in Navajo. English is taught as a foreign language and only that English which is necessary to teach math in English is also taught.

At the beginner's level, first grade, second level, there are two teachers in the room, one an English language teacher, one a Navajo language teacher.

Chairman PERKINS. At that point, how many teachers does it take to give proper instruction in a bilingual program?

Mr. HOLM. We would feel that we do not have more educational personnel; we probably have a 1-to-12, 1-to-15 ratio, which is not different from that of the bureau schools that surround us. The difference is in the roles of the people, where these people are called teachers, function as teachers, prepare lesson plans and in every way perform as professional teachers, whereas in most schools you have an Anglo teacher who teaches English and an aide who may be allowed to teach or may be simply a person who performs menial tasks in the classrooms.

So the difference is in the use of the people, where people who do not have formal degrees are doing formal instruction in the children's own language.

Chairman PERKINS. Does that conclude your statement?

Mr. HOLM. No.

Chairman PERKINS. Go ahead.

Mr. HOLM. At the third grade levels the instruction is done with one teacher in the classroom. The language of instruction in the classroom is English. The children go out to other classes in half-class groups for science in Navajo, Navajo social studies, these sorts of things.

In 1968, 1969, 1970, the school could show they were getting demonstrably better results than the schools in the surrounding areas because of the implementation of an ESL program. Beginning in 1975, the school can show that they are not only getting better results than the schools in the other areas through the implementation of a bilingual program in which the ESL, the English as a second language, is simply one component of a two-language program. The children in this school are doing better than was occurring in the same school six or seven years ago. So we feel what has happened at Rock Point is some of the first hard evidence for American Indian programs that a good ESL program can be improved or that you will get better results if you use a good bilingual program; that instruction in both languages where the children may be having as little time as a third of the time at kindergarten, half of the time first and second grade, and maybe two-thirds of the time in English, the kids are actually having less time in English but are getting better results, are learning more, are showing more on achievement tests because of the fact instruction is going on in their own language. They learn how to go to school. They learn to expect to succeed at school, and they transfer these expectations over to learning in English.

So that we feel some of the conclusions that can be drawn from this program, number one, that a good bilingual program will produce better results than a good ESL program in many American Indian communities. Second, that the pattern of development seems to show that there are relatively small gains over children in other schools at the lower grades because they have had less English at those years, but the difference has become increasingly marked to where we may have a month or two difference in second grade, two or three months' difference at third grade, four to seven months at fourth grade, and then you begin to get things like a year to year-and-a-half difference at fifth grade, and a year and a half to two years at sixth grade. So the results seem to be cumulative.

It is eight years before you begin to get really dramatic results, and it suggests that evaluation of bilingual programs, particularly Indian bilingual programs, that people do have to allow time for results to show up, and evaluation of the programs, particularly Indian programs, should allow enough time for the children to get far enough in school for evaluation to say something.

I do have several concerns, which I would like to present very briefly, because Indians within title VII activities often feel themselves to be a minority among minorities, and because the large number of programs in the country are Spanish programs, it becomes very easy for the peculiar needs of other language groups to be overlooked. I would like to say at the beginning that we feel that title VII has been absolutely invaluable. Without title VII, these things could not have happened. Because Indian programs are so precariously funded both in public schools and in bureau schools, these things would not have happened without this program. And without their concern on fairly tight evaluation, I think many of these things would not have happened. Without their concern for teacher training, for staff development, these things would not have happened.

But we do have some concerns about title VII and some of the directions it is taking. One of these is concern for what we feel is a dilution of the insistence on biliteracy as an essential ingredient of a bilingual program. An increasing number of bilingual programs do not have serious commitment to teaching children to read in both languages, and while these may be necessary programs, useful programs, we feel that the expertise that title VII has and the money that they have should be concentrated in programs where there is a serious commitment to attempting to make children literate in both languages.

Secondly, we have a concern about what appears to have been in recent years a reduction in Indian programs, and we know that from the perspective of people in Washington, Indian programs are extremely costly because you are dealing in many cases with languages that do not have well-established writing systems, the orthography has to be developed, curriculums have to be developed, materials have to be developed, people have to be trained many times from scratch, and we know this costs money, and the people who are concerned about cost-effectiveness have to ask these questions.

We have to ask the question for many Indian communities, what are the alternatives? If these things are not done, we will continue to stumble and bumble on with completely inadequate education that Indian children have had in the past.

A third concern is what we feel has been a growing shift of title VII moneys from schools where children are being educated to universities. And again we understand this from the national perspective. There is a limited amount of money, and people have to ask questions about cost-effectiveness. There are questions of whether every Spanish program should be developing home-made materials from scratch, and some of these things are better done at universities.

Again, from the Indian perspective, these things almost have to be done at the community level or at the tribal level. They cannot be done at the university level. In many cases the expertise simply does not exist. There are few people who are language-competent enough to offer this kind of help, and it can be offered only at the tribal level or the community level.

So for Indian programs we are very concerned about this shift because of the fact that we do not feel that the expertise is available for Indian programs at universities, and, second, that the funding for classroom-related instruction and materials development, curriculum development, is so precarious at the public school level and the bureau level that the withdrawal of title VII funds from the school would be absolutely fatal. The programs would die.

Last, related to this is our concern about the consolidation or the centralization of curriculum development and materials development within title VII. Again, we understand the rationale for this from the Chicano perspective. It does not make sense for every little school district to be attempting to develop a Spanish curriculum, Spanish materials, Spanish resources, but from the Indian perspective it makes no sense at all for Navajos to attempt to develop Crow language materials or Choctaw materials, and it is difficult even to establish one center for all American Indian groups where all these things are done. There could be some sort of regionalization or consolidation of efforts, but a good bit of the work is going to have to be done at the tribal level or the community level.

Thank you for your patience.

Prepared statement of Mr. Holm follows:]

TESTIMONY

before the

Subcommittee on

Elementary, Secondary, and Vocational Education

of the

House Education and Labor Committee

Washington, D.C.

June 8, 1977

Wayne Holm

Director

Rock Point Community School

(via) Chinle, AZ 86503

Rock Point is a community-controlled "contract" school in the northeast Arizona portion of the Navajo Reservation. A community-elected, essentially monolingual-Navajo, board has operated the school under contract for these last five years.

Spolsky's research has shown that c. two-thirds of all Navajo students enter school without enough English to do first-grade work in that language. In a Reservation-interior community like Rock Point, 90-95% of the students enter school monolingual in, or strongly dominant in, Navajo. In many Navajo communities today, English is more of a foreign language than a second language. Children perceive, correctly, that they do not really need to talk English to satisfy their needs at home or in most of the few community institutions. BIA statistics indicate that, as a group, Navajo children do not do well in school. They seem to progress (at least as "progress" is shown on standardized achievement tests) at a rate of from c. 55 to 70% of the national average rate of progress. Students do show absolute progress: one SAT test (1975) 2.2 at mid-3rd grade; 3.5 at mid 5th grade; 4.7 at mid 7th grade. But they fall relatively further behind: 1.4 years behind at mid-3rd grade; 2.1 years behind at mid-5th grade; 2.9 years behind at mid-7th grade. There seem to be few indications that the students of public schools who enter school with more English are, as a group, doing significantly better.

Rock Point began an intensive EFL (English as a Foreign Language) program in 1963-1964. By the late 60's, students reaching the 5th and 6th grades had 'come-through' an intensive EFL program. These children did significantly better on standardized achievement tests than did students in comparable Bureau schools, suggesting that intensive EFL instruction had helped Rock Point students. But while Rock Point students showed higher averages than the Agency averages at every grade level, they (RP students) also had averages lower than the national averages at every grade level.

In 1967, the local Education Committee began a very modest rather precariously funded, initial-literacy-in-Navajo activity with Title I funds. In 1971, the Committee, now a Community School Board, obtained a Title VII grant and was able to place Navajo-language activities on a (relatively) firm financial foundation. There were funds for on-going evaluation and for teacher training. In 1972, the Board contracted for the operation of what had theretofore been a Bureau school. There was, at first, considerable opposition to the 'stripped-down' bilingual curriculum and the lack of certified teachers. Eventually the (Navajo) Tribe offered a provisional certification to teachers working towards degrees. In recent years, three-fourths of the teachers are Navajo, mostly from or 'married into' the Rock Point community. ALL of the NLT's (Navajo Language Teachers) are Navajo; half of the ELT's (English Language Teachers) are Navajo. Three quarters of the teachers do not have (but are working towards) degrees.

By the mid-70's, most Navajo 5th graders and many 6th graders had 'come through' an initial-literacy Navajo-maintenance program. Several things were becoming evident:

a) Rock Point students were averaging higher on standardized achievement tests than were students in comparable Bureau schools;

b) Rock Point students coming through an initial-literacy-in-Navajo program in the mid-70's were doing better (on such tests) than had Rock Point students coming through an EFL-only program in the late 60's;

c) where comparisons were possible, Rock Point students having had a continuous bilingual education were doing better than those who had had an interrupted bilingual education.

Most of this data is reported in a paper by ROSIER and FARELLA or in ROSIER's dissertation. This information is reported here not to 'boost' Rock Point. Rock Point's is a relatively traditional Navajo Board that avoids publicity when possible because they feel it causes hard feelings. This information is given because it is some of the first relatively hard data (in this country) that bilingual education has made a difference for an American Indian community. This would not have happened without Title VII. The Bureau has funded some commendable efforts in EFL, one of the essential components of a bi-lingual program. While Dr. DEMMERT has been making strenuous effort to seek funds and support to implement bilingual programs in Bureau schools, Bureau efforts to date have been extremely modest. Only with Title VII's insistence an ongoing evaluation and continuing teacher-training going evaluation and continuing teacher-training (and a willingness to pay for these) have significant efforts in Indian bilingual education been possible. Bureau schools, and most Indian public school systems usually lack the funds with which to undertake such programs on their own (although both probably could be doing more than they are.).

Rock Point students, then, taught by largely non-degreed Navajo teachers, taught in English only half the day (and despite having read in English fewer years), are doing better on English-language tests than are students in Bureau schools taught in English all day long by degreed teachers. Close analysis of this data reveals several points of potential interest to this body.

1) Rock Point students do no better than Bureau students at the 2nd grade, a little better at the 3rd grade, and somewhat better at the 4th grade. It is only at the 5th and 6th grades that really impressive differences begin to show up. It is our impression that the results of bilingual instruction (here) are cumulative.

The children cannot be tested in English until they have begun to read in English: in their *third* year in school (i.e., 2nd grade). Even in their *fifth* year (4th grade), the Rock Point students were only .4 to .7 years ahead of their Bureau counterparts. *Bilingual education takes time*; any study of less than six years might have concluded that bilingual education was not worth the effort.

2) Even these lengths of time are misleading. It should be remembered that Rock Point began the EFL component in 1963-64 and a modest Navajo-literacy program in 1967. The six-year-old Title VII program here rests on a 14-year old EFL activity and a 10-year old Navajo-literacy activity. Many schools have not had this sort of preparation. For many Indian languages, the first task is working out or agreeing upon a writing system. *Indian bilingual education takes even more time*: 10 years is not unreasonable.

I do have several concerns with apparent shifts or drifts in Title VII regulations or practice. These are concerns from the bottom; while I'm expressing these concerns here today, I suspect that some (if not most) of these concerns are shared by people in other Indian bilingual projects.

1) I am concerned about the apparent shift (or drift) in the definition of a bilingual program. The initial legislation called, I believe, for a native-language literacy component in the project. Some projects seem to have never taught a single student to read his/her own language. The requirements, I believe, have since been diluted and there is talk of still further dilution. There are valid arguments that can be made for culture-only or language revitalization projects. But there are, or should be, alternative ways of funding these.

I feel very strongly that any new legislation should imply regulations which will require a serious bi-literacy component as part of the project. Without this, projects with and without biliteracy components will be evaluated together (as is being done now) and, in all likelihood, 'bilingual education' will be found wanting.

2) I am very much impressed, in visiting Indian bilingual projects, with the apparent co-occurrence of real community control and serious bilingual education. While it seems at least theoretically possible for serious bilingual education to be implemented in a non-Indian-community-controlled school, I haven't seen it in practice. Even the public schools (and Bureau schools?) that seem to be moving most determinedly towards bilingual education seem to be those with more than usual community involvement or control. What one sees, all too often, are semi-autonomous Title VII "projects" in trailers on the playground, in buildings across the road, or over at district/Agency headquarters. Serafina COLOMBANI suggested, some years ago, a "commitment model": fund those schools that would have tried to do something on their own. But for many Indian schools it is almost impossible to find out what 'they' would if done if some money isn't supplied. I feel very strongly that any new legislation syould imply regulations which will require a serious committment on the part of the school (system) to accept bilingual education as the educational program of the school (system) for those grades for which Title VII provides money. The task is not easy. But unless a way is found to separate grantees who are willing to make a serious effort (intellectual and organizational, not just financial) to make bilingual education their program from those who accept the funds while allowing their administrators and teachers to overtly or covertly

resist effective implementation of the program... Again, as now, the two situations will be confounded and 'bilingual education' will be found wanting.

3) There appears, from our point of view, to have been a decline in both the absolute number of Indian projects and the relative amounts of money allocated to Indian projects. I cannot prove this: I can, however, name a number of Indian projects that have been cut off or curtailed during times when the national Title VII budget was rising.

Indian projects do cost money. Despite complaints about a lack of teachers, materials and curricula, the Spanish-speaking are able to draw on the resources of a world-language. And while there is no doubt need of developing regionally relevant materials and techniques, these need not be developed from scratch.

For many Indian language communities, they do. There may or may not be a practical writing system. If there is any written literature, it is extremely meager and mostly missionary-oriented. There is no tradition, and few models, for native-language literacy instruction to young children. All these must be created.

Some, comparing the per pupil costs of Indian programs to those of Chicano programs, simply conclude that a) Indian programs cost too much and/or b) should be funded by Title IV (PL 92-318).

a) Indian bilingual programs do cost. But any serious alternative is going to cost a great deal, too. It's going to cost a great deal (later) not to fund Indian bilingual programs (now). Indian bilingual programs which include a serious biliteracy component and which will be made an integral part of the total school program *should* be funded, and funded adequately for their unique needs. (See the report of Marie BATTISTE et al on some of these needs. American Institutes of Research, Palo Alto 1976(?). Exact title not available to me at this time.)

b) Title IV i) has not had the experience with bilingual evaluation or teacher-training Title VII has had and ii) is probably the more appropriate funding source for the sorts of cultural activities Title VII might not fund.

4) There has been a shift of Title VII funds, in recent years, from children to centers and universities. Thus although there has been more money for Title VII nationally, less money (both absolutely and relatively, I believe) has gone to schools with children.

I can understand Title VII's concern to make the best use of their relatively limited resources. Most students in bilingual programs are Chicanos. And most are from areas Indians would consider more urban. It probably makes sense, to the national Chicano leadership, to begin to divert money from the public schools (on the assumption that the public schools should be funding bilingual education) and putting it into areas public schools are not able to do as well or as efficiently: research, development, teacher training, materials and curriculum development, etc. This decision, however, puts Indian bilingual programs in an increasingly desparate situation: a) there's less money for the educating children and b) the universities, as such, often have relatively little to offer the Indian projects.

a) There is an acute lack of truly-bilingual teachers with degrees or certificates for Indian projects. The common Chicano-models of one bilingual teacher or bilingual teacher-and-bilingual aide are simply not possibilities. Most Indian bilingual projects make do with a monolingual-and teacher-bilingual aide or monolingual teacher-and-monolingual aide models. Most Indian projects are the only one on their Reservation: they must have their own linguist(s), curriculum developers, and materials developers. These things cannot be done, or are not being done, elsewhere.

These services cost money. The Bureau (given the Civil Service and the State certification systems) has not had this sort of money in the past. Most Indian public schools, being relatively small rural school systems, are not able to fund these costs.

Thence the double bind: if monies are taken away from promising Indian projects before they have had time to prove their worth, it is extremely unlikely that the Bureau or the states can be shown the need for the additional monies these programs require (at least during their development period).

b) For most Indian languages there are relatively few scholars who have the expertise in linguistics, anthropology, education, etc. to be of service to Indian projects. Where a team is required, it is better assembled on-Reservation in interaction with students and community.

What we have seen all too often is project directors of Chicano programs going into Chicano fellowship programs, and then becoming part of the university teacher-training system. This may ultimately have a multiplier effect on Chicano bilingual education; it does precious little for Indian bilingual education.

5) There has been a shift of Title VII funds, in recent years from local curriculum and materials development and production to regional centers. This is part of the shift of monies away from children noted earlier.

Again, I can understand the thinking of the national Chicano leadership: given the overwhelming percentage of children in bilingual projects who are Chicano and the centuries-old tradition of Spanish-language literacy, it must seem extremely wasteful to allow or require each project to develop and print their own materials and curricula. So... regionalize: staff regional centers with specialists and make the best curricula and materials available to all projects.

Only... Chicano curricula and materials don't work very well for most Indian children. One mini-center has been set up (in Albuquerque) for all American Indians. It's off to a good start with Navajo curricula and materials. But with the best will in the world it couldn't begin to do this for 40-60 other Indian languages. (Languages, not dialects; Indian languages are no closer then, say English and German and often as far apart as, say, English and Basque). The regional printing center (in Austin) does not appear to be able to keep up with the materials developed by NAMDC and involves typographic quirks a Navajo typesetter would have avoided (e.g., spacing of "glottal stops").

In short, national resource, materials, and production centers may meet Chicano needs. They do not seem to meet Indian needs. Some scaling-down to size is needed: co-operative mini-centers on a language family and/or regional basis.

Thank you for this opportunity to present my views on Title VII

-Wayne HOLM
Rock Point Community School
June 1977

Chairman Perkins. Let me just put a couple of questions together and start with Mr. Holm and go across the panel and let you comment on it.

I take it that you gentlemen feel that the teacher training program is presently inadequate. Just how do you feel that we could improve it? Should we retain the 15 percent setaside for teacher training as we presently have in the grants for school districts? And after you make an observation on that point, I understand from testimony yesterday that the evaluation reports showed that only 30 percent of the students in federally-funded programs were of limited English-speaking ability, and that there were no improvements in reading records or self-esteem among students in these programs, and I would like for you to comment on those evaluations and tell us whether these findings are true insofar as your programs are concerned.

Start with my first question about teacher training, and go across the panel, Mr. Holm. Those are the only questions I have.

Mr. Holm. Do you wish separate responses from each of us to the first question and then the second question?

Chairman Perkins. Yes.

Mr. Holm. I will respond to the teacher training question and allow other people to answer.

Chairman Perkins. All right. Go ahead.

Mr. Holm. I think we fully agree with title VII's insistence on teacher training as a very important part of the program. We do not have serious objections to this. I think the only concern that I have heard expressed, it is a relatively minor concern, is rumors of proposed changes in regulation that would require that the training be done with institutes of higher education that had instruction in the language as a full-time part of the instruction at the college.

Again, I hope I don't appear to be belaboring the subject, but Indians feel many times they have been the victims of Chicano solutions to Chicano problems, where Indians have somewhat different problems.

I just came from the Choctaw project in Mississippi, where this would be damaging to them, in effect, if they said you can deal only with a college that had a full-time part of the school program that, in effect, was taught in Choctaw at the university. It would simply exclude the possibility of any institute of higher education in the U.S. with which they could deal for higher education.

You can see this as a lever to force schools that should and could be offering full-time courses in Spanish at the college and universities, and this type of rule or regulation would perform a useful function. It could simply make it impossible for some Indian programs to have any kind of association with institutes of higher education, because the needs would not exist.

Chairman Perkins. We wanted to get that information because when we rewrite the Elementary and Secondary Education Act and we hope to commence on it this fall and early next year, we want to know where we are going in this area and see how we can improve.

Mr. Holm. One additional point: I think this teacher training can be tremendously effective. One of the problems in rural schools, and most Indian schools are rural schools, is teacher retention, and this type of teacher training program, properly used, can allow people from the community that the children are in, who are not now teachers, to be identified as potential teachers and trained on location, and these people are likely to stay, whereas all too often too many of the Indian people and many people in rural schools have gone off to 4-year college institutions and been sucked off the rural communities, and they don't go back. This is one of the tremendous potentials of this program, is in identifying people who have proficiency in the language of the communities, who have some sort of commitment to stay in the community, having a large amount of their training on site with perhaps summers in institutes of higher education, and you have some hope of developing a stable teaching staff for Indian rural communities that may stay there and continue to improve the program for those children.

Dr. ARCINIEGA. In response to the teacher training question, I think virtually my entire testimony is directed specifically at the need to link up very directly the institutions of higher and specific schools of education with the public school district programs in the particular area.

I would add that very specifically there needs to be a double thrust in a program sense to that effort. On the one hand, there is a need to institutionalize the type of bilingual basic teaching credential program, and, on the other, there must be an effort made to concentrate on the in-service and graduate and advanced specialized training areas as far as the whole bilingual teacher preparation effort.

Specifically, I guess again the approach that I would recommend that the legislation take is a consortium approach in which a requirement could be built in or at least strong encouragement could be built into the legislation to organize programs in a direct link-up sense with institutions of higher education who are truly committed to this type of institutionalization of the base programs in the teacher training efforts.

Without that, in a sense, I guess, you are going to run into the problem of having less of a handle in a quality control sense with the type of in-servicing efforts and ongoing supportive efforts for bilingual public school programs.

Dr. MELZI. In the matter of teacher training, I believe that one of the important things that should be done would be to correlate what the requirements are of the states with that which has been prescribed by the Federal Government. We in Pennsylvania, for instance, find ourselves on the horns of a dilemma because the State of Pennsylvania does not allow us to grant secondary education in bilingual education, so we have to grant education in the specific languages with emphasis in bilingual education, so it happens that in the nearby Delaware community of Upper Darby, where there is a large community of Greek immigrants, they come to us and say, why don't you establish the same program in bilingual education that you have done for the Spanish-speaking, and we cannot do it because we have not been granted the right to certify teachers in Greek. So that would be one of the first needs.

Second, I would respectfully suggest that we start to train existing teachers that could be trained in the foreign languages immediately rather than waiting the four years necessary in order to retrain completely from the groundwork up a bilingual teacher. From a practical point of view, from a market where there are thousands of unemployed teachers, I think it would make much more sense to take these teachers—we can and we have done it already; we give them instructions in Spanish, send them for a summer to Puerto Rico. They come back being completely and thoroughly indoctrinated. They know they are both bilingual and bicultural. They spend one month doing practical work with the children so when they are being sent to teach math and science, they know exactly what to do because they already have done it.

Finally, there is a great need for communication to the small districts, and, as I have already said before, the need for teaching both the adults and the children should never be forgotten. You cannot separate the two items.

Thank you, Mr. Chairman.

Mr. HEBERT. Specifically, in terms of the 15 percent, the basic grants, for the Franco-Americans, it is absolutely necessary, the reason being in the Northeast there are non-teacher-training fellowship programs to deal with the Franco-American population. Therefore, the teacher training is left to the basic grant project. Therefore, 15 percent is absolutely necessary to maintain an effective teacher training program.

Chairman PERKINS. Excuse me. We are going to break for a vote and come right back.

[Brief recess for Members to vote.]

Chairman PERKINS. We will resume. Mr. Hebert, I believe when we recessed for the vote that you were still answering my question. Would you proceed?

Mr. HEBERT. I believe I had finished basically, Mr. Chairman.

Chairman PERKINS. We will let my other question go.

Mr. Blouin?

Mr. BLOUIN. Mr. Chairman, I have one or two questions for Mr. Holm.

I think you were touching on the key to the bilingual success in the comments you were making about biliterates. In some Indian tribes, however, there is no written language. How, in your opinion, do you handle that kind of a problem, where you are dealing with a nonliterate language?

Mr. HOLM. As far as I know, the Indian programs under title VII are tribes that either have a technical orthography, if not a practical one, or part of their commitment in the title VII grants is the development of a practical orthography which would make literacy possible in their language. So the different Indian languages range from Cherokee, which has had an orthography for 150 years, and one time had a higher degree of literacy in the Cherokee area of Oklahoma than the Texas or Arkansas or surrounding states that do, to groups that are still working on an orthography or arguing between two orthographies, but I do not know of any program that does not either have an orthography, writing system or part of the program is the development of a working practical orthography for the language.

Mr. Blouin. I think you missed the point of what I was trying to get at. There are some Indian tribes that have no written language. It is a spoken language only. How do we develop, and if the key to bilingual is biliterate, as I believe it is, if it is really going to function, how do you translate that into those tribal settings where there is no written language?

Mr. Holm. American Indians vary from language which is not spoken to where 85-90 percent speak the language. If there is a high degree of language retention, then it is technically possible, using applied linguistic means, to develop orthography for people.

Mr. Blouin. How would they develop it, though? Would you leave that to the tribe, itself?

Mr. Holm. I think what has to take place in these situations is a cooperative effort between the tribal people and people working in the area of applied linguistics. The linguists have become more cognizant in recent years of the need to develop orthography that meets the needs or the wishes of the community people, so this has to be a partnership. This is going on in many places. There are a large number of orthographies available that have been developed, many of these by linguists working for religious organizations, but the orthography is available for secular purposes. Many of the programs depend on orthography that was originally developed by SIL and others working for religious organizations.

Mr. Blouin. So you think that it can be worked out in practically every tribal setting?

Mr. Holm. Yes. I feel very strongly the other key to this is what the tribe or the community actually want. As strongly as I feel in favor of bilingual education and the tremendous effectiveness of this, I do not feel that it should be forced on communities or tribes that do not want this. The critical question is, how do we make it possible for communities or tribes to make decisions between monolingual programs which they have seen and bilingual which many of them have never seen?

Mr. Blouin. Do you think it is fair to say you are speaking in terms of the tribal option on the implementation of bilingual programs?

Mr. Holm. Yes. I would prefer to see the option even at the community level. There is tremendous diversity in a given tribe in terms of degree of traditionality of the community, the degree of language retention in the community. I think it should be a community option.

Mr. Blouin. How would the tribal councils react to that?

Mr. Holm. I do not think this would be a great problem. Most Indians are relatively noncoersive, to begin with. They are reluctant to force others to do things. There are certain decisions that have to be made at the tribal level but this is already practiced, decision making, at a community level.

Mr. Blouin. Can you think of any specific changes that ought to be made in the bilingual program to make it more effective?

Mr. Holm. I feel very strongly there ought to be a strengthening of the wording that does require a development of a literary component to a bilingual program. The programs that do not intend to do this could or should be funded under other sources for Indians, Title IV, for non-Indians perhaps Title I.

There should be a serious attempt to see that Title VII funds are used in programs that have made a serious contribution to the literacy as part of the project and the receiving school district to make some sort of implementation of the big problems in the Indian Title VII programs, which are the only ones I know where the school district has not made a serious commitment.

This is a nice source of money. They sit in a building off to one side and a trailer out on the school playground, or in other ways are supplemental or not integrated into part of the school program. There needs to be some way to force a commitment from the host school district to make this a core part of their school program.

Mr. Blouin. Are you familiar with similar programs in other tribal schools, whether contract or BIA, around the country?

Mr. Holm. I have a certain degree of familiarity. I have had some opportunity to visit a number of programs in the states.

Mr. Blouin. Do the programs tend to be in BIA schools or is there a trend?

Mr. Holm. Certainly on the Navajo there is a very strong trend. With a couple of exceptions almost all of the serious bilingual programs are in the contract schools. This is because of the fact that the state regulations require certified teachers. There are relatively few with certified teachers in response to the need, perhaps three or four hundred, when perhaps two or three thousand are needed. You are talking about a school population of 60,000, at least two-thirds of whom are monolingual in Navajo. There are very few schools that have assembled enough Navajo teachers with the commitment where they might be able to mount serious bilingual programs. However, the bureau schools have had very modest bilingual schooling, again, because they depend on aides to deliver the program and the aides are not given the kind of support or training that they need to deliver an effective bilingual program.

Mr. Blouin. What is the basic reason for that? Is it because the BIA schools are not in contact enough with the local communities to attune the curriculum to their needs?

Mr. Holm. I feel that part of the problem is simply inertia. Part of the problem is that a lot of people in bureau schools are not Navajos, or Navajos who have gotten a degree in a very difficult way and have learned to teach English.

Mr. Blouin. How much is related to the hiring system in BIA, to the civil service process?

Mr. Holm. The civil service process would actually be a help. With Indian preference you are beginning to get more Indian teachers and specifically Navajo teachers into the school which would theoretically begin to make this possible. Many people are simply job threatened by the notion of bilingual education because they do not see the roll of English language instruction in a bilingual program and, feeling threatened of the program, resist attempts to establish such programs.

Bilingual programs do not simply grow like mushrooms. You cannot say: You speak Navajo, you have learned to read and write it, develop a full-blown program in Navajo.

We do not do that with English, but we expect any Navajo aid in America to develop full-blown Navajo programs off the top of her head.

Mr. BLOUIN. Do you think bilingual education is essential in Indian education or do you think that determination should be left up to the various tribes?

Mr. HOLM. I feel where there are Indian communities with large numbers of children who enter school native speakers of their own language and for whom English is a foreign language, if not a second language, not offering bilingual programs, and biliteral programs is a tremendous waste of the resources that are available.

However, if I were convinced that a community had seen the options and had knowingly made a choice against implementing a bilingual program for whatever their reasons, I feel they should be accepted.

Mr. BLOUIN. Do you think that kind of flexibility of a tribal decision not to have bilingual or to have it is available today through the various independent educational programs that are there exclusive of the contracting approach?

Mr. HOLM. No, I do not think so.

I think Bill Demmert in BIA is making a serious effort to attempt to develop this kind of capability with the Navajo. This is absolutely incredible when I think there are 40,000 kids there who are either dominant in Navajo or, more likely monolingual, and a relatively trivial number of programs that have been developed to date. Eighteen thousand of these kinds are in bureau schools. Dr. Demmert is attempting to come up with monies for bilingual education in bureau schools, attempting to set up systems for direct funding where community boards would have some say in how the money would be spent at their schools and some sort of formula system for equitable distribution. He is meeting tremendous resistance from not only middle levels of bureau management but also a lot of misunderstanding from lower levels of bureau management or of Indian communities who are concerned about the potential misuses of such a system.

Such a system could go a long way to begin to offer options to Indian communities that have not had options in the past.

Mr. BLOUIN. Thank you.

Chairman PERKINS. Mr. Corrada.

Mr. CORRADA. Thank you, Mr. Chairman.

First of all I would like to state that I regret that I could not be here at the hearing this morning due to some urgent matters, but I would like to welcome Dr. Robert Melzi.

Mr. Chairman, with a deep sense of commitment and service, Dr. Robert C. Melzi, Professor of romance languages at Widener College, has undertaken to solve some of the numerous problems encountered by the Puerto Ricans in Pennsylvania, especially in those areas which attracted the Puerto Ricans initially as migrants, but which soon turned out to be their permanent home. I wish to commend Dr. Melzi for his interest in this field, and look forward to his continual efforts regarding the problems of implementing bilingual education programs.

I do have a few questions to him.

Dr. Melzi, would you as concisely as possible tell us, being as you are a professor in Romance languages, what value you attribute to bilingual education as an instrument to better educate those who have limited knowledge of English when they come to the mainland or when they are here?

Dr. Melzi. First of all, I should like to qualify the need for bilingualism but it must be bilingual and bicultural, from the very simple fact that we are getting still large numbers of Puerto Ricans who are still immigrating and you are putting the teacher in front of children who hardly understands English or understands it only superficially.

Probably the greatest danger is that in districts that are not attuned to the need, a monolingual teacher will interrogate the kids, simply asking, what is your name and how old? The kid answers in English, and that kid will be classified as English dominant, while essentially, if you go a little deeper, he is not English dominant.

As I stated before, the need for bilingual education occurs especially at the junior or high school level. When hard subjects are introduced, the kid who does not understand thoroughly the material becomes frustrated and tends to throw in the sponge and drop out. That has been the tragic experience that we have witnessed. We spoke to some of the members of the community. There is a community in Pennsylvania where in the past ten years two kids graduated from high school. It is a tragedy.

You mentioned the matter of migrant workers. This is something which is especially important for future funding under Title VII. In the past these people were migrant workers and therefore qualified under Title I. Now we are being faced with the fact that, especially in the mushroom-growing area, because of new techniques in the mushroom industry, these people will stay on the farm more than 7 months and all of a sudden will not be eligible under the provisions of Title I.

The only available avenue will be Title VII. So not only the funds under Title VII should be retained, but, if possible, they should be increased.

Mr. Corrada. Dr. Melzi, based on your firsthand experience, particularly in Pennsylvania and Delaware in the field of bilingual education, which are in your mind or in your opinion the principal obstacles or problems that might have tended to make the bilingual education effort less successful?

Dr. Melzi. First of all, some of the colleges and universities tended to be overly theoretical and did not go down at ground level and see what really happened in the field. There has been very scant contact between the field of education and the men who worked in the field, which is, first of all, a mistake in itself.

Second, I believe too many solutions have been tried and no one has tried to see what the needs of the Puerto Ricans are and select one simple solution and follow it up for a few years. You cannot all of a sudden say that a program is or is not successful through only theoretical approaches. We have seen in our small experience, which was very practical, that bilingual/bicultural education tended to not only strengthen the private heritage of the children but also that of the parents.

Finally, I believe again—I am almost ashamed at repeating myself—but it must be emphasized that adult education and child education must go hand in hand. A child is educated much more at home than in the school. We are putting all the burden onto the school, which is unfair.

Mr. CORRADA. Dr. Melzi, perhaps we all know that sufficient funds have not been received for the bilingual education programs throughout the years, but within those limitations what is your view in terms of the participation of children and adults particularly in the Northeast and eastern seaboard states generally in the bilingual education program?

Dr. MELZI. Instead of increasing we have seen funds dwindling. I spoke a few days ago with Sister Mary who runs the St. Paul's Church and School in Wilmington, and they had lost two of their key personnel. One area that has been completely forgotten is the training of bilingual counselors. They are probably the cornerstone of any good education.

Succinctly, I believe we have not been given guidance or sufficient funds in order to train immediately good bilingual/bicultural teachers.

Mr. CORRADA. Dr. Melzi, you have stated in your prepared statement, which I have read, that in your view sending teachers to Puerto Rico to be trained for bilingual education is something that in your opinion should be effective. However, there are some concerns expressed by other people that sending teachers to be trained in an environment which is different to that which they will be working in may not be the best thing to do.

Would you care to comment on that?

Dr. MELZI. Yes.

First of all, you are certainly familiar with where we are sending our people and you are familiar with the Inter-American Campus at San German. You know perfectly well it is not at all like the campus at UPR, where people can go immediately to take a nice swim or be surrounded by an English-speaking crowd. San German is a section where unless you speak Spanish you probably cannot even buy a package of cigarettes.

Also in our area we are still getting large groups of recent Puerto Ricans. What has been forgotten is that schools are in session in the month of August in Puerto Rico. After two months of intense bilingual and bicultural training we can get these teachers to do an actual practice with the same students they will get once they come back on the mainland. We feel it would be, and probably it is, the cheapest way to utilize good available manpower and make them bilingual and bicultural in a short period of time.

We do not have time to train people for four years while we see kids dropping out of school left and right.

Mr. CORRADA. Thank you.

As an aside, Mr. Chairman, I would like to comment that in Puerto Rico we are having now a very peculiar situation, a need to provide bilingual education to English-speaking students, mainly Puerto Ricans who are coming back from New York after a number of years with small kids, and they are not able to adjust well to our Spanish-speaking educational system.

Chairman PERKINS. So you have a diametrically opposite situation down there.

Mr. **Corrada**. Right.

We are now trying to cope with this problem as to how to integrate students whose English is dominant towards the Spanish educational system. Actually, as you perhaps know, during the last five years the net migration between Puerto Rico and the mainland has had a balance in favor of people going back to Puerto Rico, mainly Puerto Ricans who came here a number of years ago and now they are coming back to our island.

Chairman **Perkins**. Mr. Kildee.

Mr. **Kildee**. Thank you, Mr. Chairman.

To Dr. Melzi: Some of the best bilingual people I know in my district work on the final assembly line. What role do you perceive for the paraprofessional in bilingual education?

Dr. **Melzi**. A tremendously important role. We have been training some local girls to become aides. We are in the process of training paraprofessionals who are paramedics in bilingual/bicultural education. In the past we had to educate some of the parents in something as simple as, how would you solve an emergency if your child would all of a sudden have colic at night because they were not even able to dial the phone.

If we can train the paraprofessional we will have solved half our probem.

Mr. **Kildee**. Could those paraprofessionals be used in ancillary matters in the classroom with the professional teacher?

Dr. **Melzi**. Yes. The aide is an integral part. As long as education is bilingual/bicultural, you could even take a monolingual teacher with a bicultural aide and the empathic needs of the student would be solved. Very often you find the student who is monolingual Spanish and sees a monolingual English teacher, he reacts adversely.

Mr. **Kildee**. Thank you very much.

Chairman **Perkins**. Mr. Cross.

Mr. **Cross**. Thank you, Mr. Chairman.

Dr. Hebert, in your statement on page 4 you make some recommendations. One of those recommendations deals with the need to continue local support. Would you elaborate on that? Do you mean, for example, that Federal support should be phased out over a period of years so that there is assurance that the local agency will continue the program?

Mr. **Hebert**. Not exactly. You are referring to No. 1 on page 4?

Mr. **Cross**. Actually, I was referring to No. 5. My question relates to points 1 and 5 both, I believe.

Mr. **Hebert**. Yes.

What I have indicated here is to make sure that when a LEA is given Federal funding for bilingual education, there is an indication from the LEA that the continuation of bilingual education activities, including parent involvement, including revising curriculums, including in-service training, including implementation of classroom activities dealing with bilingual education, be continued after Federal funding is finished.

Mr. **Cross**. On the same page in No. 7 you talk about the need for curriculum materials to reflect the local students' environment in linguistics. That seems to imply every program should develop its own material.

Mr. **Hebert**. I think every particular program should have input in development of materials. That input can be translated to the national materials development centers that are consistent, and they in turn can respond to those needs, but I am saying the local school systems with their own linguistic needs should be provided the opportunity to provide input into the materials that would be developed.

Mr. **Cross**. What is your opinion of the 15 material development 3 dissemination centers?

Mr. **Hebert**. The one I am familiar with is in Bedford, New Hampshire, that deals with French and Portuguese. They are now very definitely responding to the needs of the bilingual communities, not only the Title VII federally sponsored programs but also the other areas where Federal funding is not available, but they have specific needs for bilingual education.

Mr. **Cross**. You get good response from them?

Mr. **Hebert**. Very definitely.

Mr. **Cross**. How long have they been in existence?

Mr. **Hebert**. They have been in existence for, I believe, two years. They are finishing the second year of funding.

Mr. **Cross**. You have been in existence 5 years?

Mr. **Hebert**. Seven years.

Mr. **Cross**. So for many years you operated without any support?

Mr. **Hebert**. What we did in our program is develop our own materials. That person since has become director of the materials center in Bedford.

Mr. **Cross**. To what extent is your program a maintenance program?

Mr. **Hebert**. We do have students who come to school having difficulties in English and some having difficulty in French. I am not quite sure what you mean by maintenance, but I guess my interpretation is there are students who do need bilingual education because they are not prepared to deal with the total curriculum in English and therefore it is necessary for them to have activities in French as a supplementary program.

Mr. **Cross**. Let me pin it down more specifically. After a student becomes proficient in the English language, does that student remain in the program?

Mr. **Hebert**. Yes, he does.

Mr. **Cross**. Dr. Melzi, in your statement, I believe on pager 12, you talk about the need--and you elaborated on that with Mr. Corrada—for parent training. How would what you propose here differ from what is being done under the adult basic education program or under some CETA programs?

Dr. **Melzi**. One of the important things, in my opinion, is a greater coordination among Federal agencies. For instance, if the people who administer migrant education were to integrate some of the work which has been done by the Office of Education, we would probably save a great amount of money and be much more efficient, the same way if we were to coordinate adult basic education with what has been done with the children, so that we were to be sure that at the same time where there is Title VII money we would have a good adult basic education program available.

Mr. **Cross**. Are you also saying that Title VII monies should be used for adult basic education?

Dr. **Melzi**. If it were statutorily possible, yes.

Mr. **Cross**. But in terms of financial aid, that would mean you would be serving less children?

Dr. **Melzi**. It would mean serving adults and children.

Mr. **Cross**. With a given amount of money, that means you serve less children?

Dr. **Melzi**. Then I would simply say that we make sure administratively there be greater coordination.

Mr. **Cross**. In your statement as well, on page 13, I think it is item 10, you say that districts which now receive Title VII funds should be allowed to receive such funds in the future. What do you mean by that?

It would seem to imply a commitment in perpetuity to fund programs. Yesterday we heard Dr. Pena speak of some research evidence that shows once a program has been developed, the costs of continuing it are no greater than the costs of conducting a regular school program. Would you relate your statement against that testimony?

Dr. **Melzi**. Am I correct you are talking about training of teachers?

Mr. **Cross**. No, item No. 10.

Dr. **Melzi**. Yes. Something must be done. When you have a small district with very small available funds and the need continues, it does not seem possible to put the burden of continuing bilingual education onto the local citizens, especially in a situation where immigration continues or increases. The needs continue. If funds are discontinued, the burden falls upon the local taxpayer. The local taxpayer cannot cover that burden and the losers are the children.

Mr. **Cross**. Unless I misunderstand, you and Mr. Hebert are in direct opposition in that point. Mr. Hebert I believe said the local people should be picking it up.

In your dialogue with Mr. Corrada you talked about training in Puerto Rico. I assume you use Puerto Rico as an illustration.

Dr. **Melzi**. My experience is mostly with Puerto Ricans. You probably saw from the numbers we are surrounded in Chester with a large Spanish-speaking population and the great emphasis has been with Puerto Ricans. I am doing some work with the Greek community of Upper Darby, only at the adult basic level, because we cannot, as I said before, go into Greek bilingual/bicultural because we are not certified to do so.

Mr. **Cross**. Your last suggestion is that closer ties be established between agencies trying to accomplish the same purpose, namely USOE and migrant education. Since the migrant program essentially is administred by USOE, would you explain that a bit?

Dr. **Melzi**. Practically at grassroot level there is very, very little cooperation. There is, for instance, an Office of Migrant Education in Lancaster, and their ties with people administering Title VII are very, very loose or practically nonexistent. I am not speaking about what happens at the statutory level. I am speaking about what happens at the grassroot level.

Mr. CROSS. That is very helpful.

Dr. Arciniega, I believe you are also a member of the Council on Research, NIE's governing council?

Dr. ARCINIEGA. That is correct.

Mr. CROSS. What would your suggestions be as to the role NIE should play? Would you favor setting aside a percentage of money from Title VII for research?

Dr. ARCINIEGA. Let me respond this way. The answer to the question is yes. However, I would hasten to add that I think there are a number of ways to get at one of the major needs in this whole R and D area.

I thank you very much for the opportunity to respond to that question. There is a tremendously critical need in the whole area of bilingual and cross-cultural education for the establishment of a more focused research and development effort. I am talking about an effort comparable to an educational laboratory or an R and D center in this country, specifically focusing—I am talking about a bilingual R and D center effort—I want to go specifically on record as saying that I am not talking about simply complementing an existing educational lab or center. I am talking about getting a more focused effort in a true R and D center sense for bilingual research and development in this nation.

There is nothing in my opinion that will yield a greater payoff, both in the short run in terms of the next 5 and 10 years as well as over the long haul, 15 and 20 to 25 years, than that type of farsighted view and getting involved in looking at that kind of need.

Specifically, the kinds of components that ought to go into that effort are taking a look from various disciplinary perspectives the implications of what I would call new conceptual thought and research in some of the base disciplines as they apply specifically to the case of bilingual and multicultural education programs in this country.

Secondly, there is a tremendous need to take a hard research-oriented look at demonstration and protocol materials that have been developed by various on-site efforts, including educational labs and other large district and disparate, what I would call disconnected efforts in a research sense, in the development of basic protocol materials in bilingual education.

Certainly a whole valuation of technologies and instrumentation for determining how to measure the efficacy and quality of bilingual and cross-cultural education programs. What are the commonalities? What are the specific nuances of individualized efforts and the specifics as to criterion reference versus more standardized testing and evaluation measure, etcetera?

There is just a slew of stuff in an R and D sense that in my opinion cannot be handled very well through multiple sites. What is needed is a more concentrated and a more centralized and essentially a commitment on the part of the Federal government to recognize this as a bona fide need, equally so as establishment of a reading lab or an education lab devoted to whatever the regional aspects might happen to be.

I would probably go further than that and say perhaps the intent of Congress as regards the national lab kind of intent in the current NIE legislation might be indicated in this particular area. I would argue that, contrary to some of the current opinion in some corners of the research community, it is precisely because we have so many unanswered questions and such a great need that we need ths type of a more focused effort.

Mr. Cross. Thank you.

As Dean of the School of Education, what is your view on the relative merits between in-sevice and pre-service training in bilingual education?

Dr. Arciniega. From the Title VII national perspective I would say that certainly the most important of those two thrusts should be the in-service, and I would call it specialized training in specialized areas, for a number of reasons.

I think that through the current Title VII funding for institutions of higher education, these institutions will be able to utilize the type of funding to respond adequately in either direction, but I would again like to go on record as stating that it is most important that Federal Title VII funding strongly encourage, if not absolutely require, institutions of higher education who get involved in this area and who express a commitment to bilingual education, to become more centrally committed to off-campus, in-service, and the in-service training needs of practicing teachers in ongoing bilingual education programs.

What is needed is a better cooperative model approach to retraining, to in-service, to insuring the bilingual education expertise in some of the more specialized areas in ongoing programs.

Reading is one obvious example; some of the literacy aspects to some of the problems that have been noted; counseling; the administrative in-service training needs; other nuances.

I would also add that graduate programs ought to have a strong on-site internship and in-service aspect to them.

Mr. Cross. Thank you, Mr. Chairman.

Chairman Perkins. Mr. Corrada, any further questioning?

Mr. Corrada. No.

Chairman Perkins. Mr. Kildee?

Mr. Kildee. No.

Chairman Perkins. The committee will recess until 9:30 a.m. tomorrow morning, and Mr. Corrada has agreed to chair the hearings. If for any reason he stops, Mr. Kildee will follow him, and we will continue with the hearings. I am going to be at a disaster hearing on mine safety, so I appreciate you people carrying on.

(Whereupon, at 12:30 p.m., the subcommittee adjourned, to reconvene at 9:30 a.m., Thursday, June 9, 1977.)

PART 3: BILINGUAL EDUCATION

THURSDAY, JUNE 9, 1977

House of Representatives,
Subcommittee on Elementary, Secondary,
and Vocational Education,
Committee on Education and Labor,
Washington, D.C.

The subcommittee met, pursuant to notice, at 9:30 a.m. in Room 2175, Rayburn House Office Building, the Hon. Baltasar Corrada presiding.

Members present: Representatives Simon, Mottl, LeFante, Heftel, Corrada, and Kildee.

Staff present: John F. Jennings, majority counsel; Nancy L. Kober, staff assistant; Christopher T. Cross, minority senior education consultant.

Mr. **Corrada**. Good morning. We are opening the third day of hearings on the Bilingual Education Act. Today we have a panel of four witnesses who will be testifying on this subject, and we would like to welcome the members of this panel and ask them if they will sit at the table: Mr. Willard McGuire, Vice President, National Education Association; Mr. Ruben Valdez, Vice Chairman, National Council of La Raza; Ms. Maria Swanson, President, National Association for Bilingual Education. Ms. Swanson is not here; perhaps she will arrive later. Mr. Gary Orfield, Department of Political Science, University of Illinois at Urbana.

It is a pleasure to welcome the witnesses here today for this third day of testimony on the Bilingual Education Act. All of your complete prepared statements will be made part of the hearing record as our committee continues its review of the Elementary and Secondary Education Act and the programs funded under the different titles of this legislation.

I welcome all of you as friends of bilingual education. As advocates of the program you will hopefully be giving us constructive direction as we reshape and redefine the National Bilingual Education Act Program.

As it is abundantly clear, bilingual education and its accompanying bicultural education is an approach in American education that has in the 9 years of its existence given hope to the minority groups of this country whose dominant language is not English; so that their children can receive an adequate education. Most of bilingual education is a hope for people to have an educational opportunity. All of you may be aware that bilingual education is coming under increasing scrutiny, and those of us who consider ourselves advocates of bilingual education, as I do, are going to be looking for answers to recurring questions. As, so to speak, loving critics of bilingual education, we should be in the forefront of the national efforts to increase the effectiveness of the program and to look for models that can let us know what works well and what does not work at all.

I believe it fair to say that whatever its faults, bilingual education has given hope and some promise to many parents that their children will some day integrate into the mainstream of American life without losing a most treasured part of their individual heritage, that of their cultural origins and unique language.

As a Puerto Rican, of course, my primary concern and background has been in the Hispanic tradition, but we have seen during the two days of hearings the incredible diversity of languages and cultures as they exist in the United States today, and we have heard varying viewpoints and criticisms of bilingual education as presently operated by the Federal government.

As we begin reshaping this important legislation, we look forward to your comments and suggestions to incorporate them in the revision of the Title VII program

As I said before, your prepared statements will be made part of the record. What we would like to do is to have each of the witnesses at the table make a succinct, concise statement that might summarize their full statements. After you have done so, each of the witnesses, then we will be asking some questions.

STATEMENTS OF WILLARD McGUIRE, VICE PRESIDENT, NATIONAL EDUCATION ASSOCIATION; RUBEN VALDEZ, VICE CHAIRMAN, NATIONAL COUNCIL OF LA RAZA, ACCOMPANIED BY MICHAEL CORTES, DIRECTOR OF LEGISLATIVE ANALYSIS, NATIONAL COUNCIL OF LA RAZA; MS. MARIA SWANSON, PRESIDENT, NATIONAL ASSOCIATION FOR BILINGUAL EDUCATION; AND GARY ORFIELD, DEPARTMENT OF POLITICAL SCIENCE, UNIVERSITY OF ILLINOIS AT URBANA

Mr. CORRADA. I would like Mr. McGuire to begin, please.

STATEMENT OF MR. WILLARD McGUIRE, VICE PRESIDENT, NATIONAL EDUCATION ASSOCIATION

Mr. McGUIRE. Members of the committee, I am Willard McGuire, Vice President of the National Education Association. The 1.8 million teacher members of NEA are, of course, concerned over the educational problems which confront students of limited English-speaking ability – problems with which our teachers have to deal with in the daily classroom situation. Moreover, many of our members who themselves come from linguistically segregated cultures know firsthand the difficulties experienced by a student whose English is not adequate to function in the dominant English classroom, and wish to ease these difficulties for the present and future generations of such students. I hope that I can lay out these concerns effectively.

In 1969 the NEA Representative Assembly first adopted a resolution supporting bilingual education as an effective means of meeting the educational needs of non-English-speaking children. Similar resolutions were passed in 1970 and each year since. The current position (Resolution B-2) reads as follows:

"The National Education Association believes that the bilingual education process uses a student's primary language as the principal medium of instruction, while teaching the language of the predominant culture in an organized program, encompassing a multicultural curriculum.

"The Association supports appropriate Federal legislation and it urges its affiliates to seek State legislation that requires bilingual-multicultural education according to educational need.

"The Association also believes that legislation must provide funds to expand current multicultural and language programs, including those for teacher preparation necessary to provide equal opportunity to all students in the public schools.

"The Association urges that bilingual-multicultural programs include as a goal functional proficiency in English, with emphasis on the development of those basic reading skills essential to the successful pursuit of all other disciplines."

This resolution continues to reflect NEA's position and serves as a guide to our continued commitment to bilingual education as an effective means of providing an equal educational opportunity for children who do not speak English adequately.

Recent studies indicate that students of Hispanic origin are below their peers in reading, science, mathematics, social studies, and career development. This indicates that the approaches now being used in bilingual programs are inadequate and must be examined in light of this evidence. We cannot merely look at each part in this case; we must review the whole and make appropriate changes throughout.

Bilingual education has received it share of critical examination and its effectiveness has been questioned. We State that the NEA has supported and will continue to support bilingual education. We seek its continuance and expansion. We believe that –

A child cannot learn unless teaching occurs through the language he or she speaks and understands;

A child who does not speak or understand English must fall behind when English is the sole or dominant medium of instruction;

A child needs to learn English to be able to participate in the English-speaking society;

A child's membership in a social or ethnic group must be respected if we are to allow the child the self-esteem and motivation necessary for effective learning; and

The learning of English does not and must not require the rejection of the child's native language and culture.

Accepting these principals, we thus believe that any necessary and appropriate educational program for children must incorporate four essential elements:

1. Language arts and comprehensive reading programs which are introduced and taught in the child's language;

2. Curriculum content areas which are taught in a language which the child fully comprehends;

3. English as a second language, which is taught through a sequentially structured program which includes understanding, speaking, reading, and writing skills (the "ESL Component");

4. The child's culture, which is reflected in all aspects of the curriculum program.

In May of this year the Board of Directors of the NEA adopted a policy on Federal aid to education. As a part of this policy certain criteria were developed for the renewal of the Elementary and Secondary Education Act of 1965. What follows in this statement reflects the new policy relating to the reauthorization of bilingual education.

Existing Federal education programs, as they are renewed, should be examined in view of the goal of providing a high quality of education and equality of educational opportunity for all Americans. Those programs which lend themselves to achieving that goal should be expanded, while others should be modified, curtailed, or ended accordingly.

Bilingual education attempts to meet the needs of children who may learn in a different way because of the language they speak at home. We feel that bilingual education is a necessary part of a child's learning process, for to translate conceptual learning from a native language to English is a difficult process. A balance must be maintained which insures the self-concept of the child while providing skills that will expedite his or her education. Bilingual education has served as a beginning to insure that a child has the right to learn in the manner that fits his or her environment.

Mr. CORRADA. Would you please excuse my interruption. I would like to welcome Ms. Maria Swanson, one of the witnesses on this panel, who is President of the National Association for Bilingual Education. As I stated at the beginning, we will hear from each of the four witnesses that have been scheduled for today. Your prepared statement will be made part of the record and then we would like you to summarize it and then questions will be asked of the four of you.

Please proceed, Mr. McGuire.

Mr. MCGUIRE. The Bilingual Education Act should be examined to assure clarification of areas that are in question. Language should be added or deleted that will assist in the simplification of the delivery of services. Beginning with a restatement of policy, this would be an appropriate place to lay the foundation for a national policy on bilingual education that can be used as a basis to define the Federal role in bilingual education. We feel that this statement could direct the administration of this law toward meeting the needs of children.

We suggest that in the statement some priority be given to expansion of preschool bilingual programs. Recent studies have found that preschool experiences are proving their worth. We feel that the bilingual program could be enhanced by preschool exposure.

Overall, however, bilingual education is a necessary and appropriate educational program for children which provides high quality education as well as equality of educational opportunity for all. Thus present programs should be retained and expanded.

In reviewing existing education programs and in initiating any new programs designed for special purposes such as bilingual education, adequate provision for training personnel for carrying out the program must be insured.

Inherent in meeting needs of children with special educational needs, in solving educational problems, and in improving the quality of education, is insuring that our teachers have adequate in-service training and professional development opportunities. Too often the Federal government has initiated education programs without insuring that there would be adequate educational personnel to carry out those programs.

However, we suggest that a critical analysis be made and legislative language be structured to ensure that adequate programs are developed throughout the total structure of professional development and in-service training. This calls for a reevaluation of programs from the higher education level to the individual classroom and a review of the content of each area as well.

Appropriations for authorized programs should be at a level high enough to carry out the intent of the law. Current projections are that for FY 1978, $135,000,000 will more than likely be appropriated for bilingual education. That amount will serve some 256,000 students and several thousand personnel, graduate students, and trainees. This increase in appropriations is adequate. However, with the increase in the demand for improvement of quality of education it will be necessary to continue the appropriations at a more than"adequate" level with emphasis on increasing the fellowship programs and encourage increased appropriations to be used for program expansion and to develop a greater emphasis in the area of in-service teacher training and retraining.

Teachers perform the service function for carrying out all federal education programs. They see the needs of the students on a day-to-day basis and are in the best position to assess those needs. Teachers experience firsthand the effect of a program and know what is actually happening in the classroom. However, all too often the advice of teachers respecting the administration of Federal programs is not sought and ignored even when offered. Teacher involvement in the decision-making process would greatly increase the possibility of successful education programs.

One way to increase the success of the bilingual education program is to assure the involvement of teachers in the development of the program. In existing laws teacher involvement is mentioned. We would recommend it be clearly mandated.

There are other criteria which must be considered in reauthorizing the Bilingual Education Act as well as in authorizing or reauthorizing other elementary and secondary education programs.

Only those statutory requirements which are necessary to ensure that Federal funds are spent for the purpose for which they are appropriated should be retained.

Regulations should be kept at the minimum level necessary to achieve the intent of Congress.

Administrative practices at Federal and State levels which increase administrative costs and paperwork at the local level should be prohibited.

Existing law and administrative practices at both the Federal and State levels which place so many burdensome paperwork requirements on local educators should be curtailed.

Thank you for ths opportunity to present our views. I assure you that the NEA stands ready and willing to assist the Congress in developing truly effective bilingual education programs.

Mr. CORRADA. Thank you, Mr. McGuire. We will defer our questions to you until we have heard from the other three witnesses. Mr. Valdez.

STATEMENT OF RUBEN VALDEZ, VICE CHAIRMAN, NATIONAL COUNCIL OF LA RAZA, ACCOMPANIED BY MICHAEL CORTES, DIRECTOR OF LEGISLATIVE ANALYSIS, NATIONAL COUNCIL OF LA RAZA.

Mr. VALDEZ. Thank you very much. I am from the State of Colorado, former Speaker of the House of the State of Colorado, and currently Minority Leader in the House of Representatives in the State of Colorado, and also the author of the Bilingual-Bicultural Act in the State of Colorado.

I would like to focus the few minutes that I am going to have before this committee on talking about the Colorado experience. The rest of the testimony that I submitted is generally in terms of the national scene, but I would like to take a few moments to be specific about the Bilingual/Bicultural Act that was instituted in the State of Colorado.

The State of Colorado, as you might know, is a swing state politically, being controlled by Republicans in the last few years. In 1974 the Democrats took over. I had the opportunity to be elected Speaker of the House. I am giving you this in terms of background to show you there was division among the two houses when we passed this act to show it was a bipartisan act.

This has been called the most comprehensive of any act of this type in any State. It is an act that goes into specific areas of teaching children. We have a limitation of kindergarten through third grade in terms of having the children in the bilingual-bicultural program. We have four specific goals in the act that we are trying to reach with the act: Better comprehension in reading and writing of English-language skills, better attendance of children in schools, better parent involvement in the schools, and reduced dropout rate.

The program, of course, is in its early stages and it is really very hard to determine the success or failure of this particular program. However, in those instances where we have combined programs that started with Title VII and then were later added on by the State funding in the State of Colorado, where we do have that four-year experience, the largest school districts that have these programs have been very successful. With 14 schools that were predominantly Chicano, students under the Stanford achievement test, who had been failing or under par in each of the 14 schools, after 4 years of this bilingual-bicultural education all 14 schools on the same test, same Stanford achievement tests, were either at par or above par, which leads us to the conclusion if children are given the opportunity with bilingual-bicultural education they are going to be succeeding with the rest of their peers in the educational field.

We feel the greatest asset of the program so far has been the parent involvement. Social scientists and many other groups feel that one of the problems in the education of minority children is that the parents have not been involved. They have been turned off by the educational system for different reasons. Because of the parents' involvement in the Bilingual Education Act we have seen more parents than ever before, and we think this is an added benefit.

Again, I just wanted to highlight some of the points of the Colorado legislation, and I will be glad to answer any questions. I thank the members of the committee for allowing me to present this testimony this morning.

[The statement of Ruben Valdez follows:]

TESTIMONY IN SUPPORT OF BILINGUAL EDUCATION

The Problems and Accomplishments of Programs Under Title VII of the Elementary and Secondary Education Act

submitted to the

Subcommittee on Elementary, Secondary and Vocational Education
Committee on Education and Labor
House of Representatives
Congress of the United States

by

THE HON. RUBÉN VALDEZ

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House of Representatives
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and

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June 9, 1977

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TESTIMONY IN SUPPORT OF BILINGUAL EDUCATION
by the Hon. Rubén Valdez
NATIONAL COUNCIL OF LA RAZA
June 9, 1977

Mr. Chairman, and Members of the Committee, I would like to thank you for inviting me to testify on behalf of the National Council of La Raza. I am accompanied today by Mr. Michael Cortés, who is Director of Legislative Analysis at the Council. The National Council of La Raza was founded in 1968, and exists for the improvement of the economic, social, educational and cultural well-being of the 16 million Chicanos and other Hispanic people of the United States. Our Board of Directors includes elected officials, labor union leaders, academicians, agency administrators, attorneys and leaders of community organizations, from throughout the southwester, midwestern and far western United States. Fifty-eight local organizations from those regions are affiliated with the National Council. Among those organizations are community development corporations, private social service organizations and local area federations. The National Council is also Secretariat to the Forum of National Hispanic Organizations, comprised of 57 autonomous organizations of Chicanos, Puertorriqueños, Cubanos and other Hispanics from throughout the United States.

My testimony today centers around the following five points.

(1) There are at least 1,935,000 students in our country whose usual language is not English. 48% of them are reported to have difficulty with English, and many more of them are at a serious educational disadvantage. The total Title VII enrollment in fiscal year 1976 was only 13% of that number. We want bilingual education expanded.

(2) Bilingual education is a feasible strategy for meeting needs of educationally underserved children of the language minorities in our country. I will illustrate this by recounting some of my exerperiences as Speaker of the House of Representatives in Colorado.

(3) Bilingual education is still a developing field, and has yet to reach its full potential. We do have some concerns about the administration of the Title VII program. But it would be premature to make any final judgements about its effectiveness at this time.

(4) Research on the effectiveness of bilingual education has had mixed results. Some studies have been encouraging. The recent national impact study by the American Institutes for Research was not encouraging. However, we urge the Committee to view their findings with skepticism, given some serious technical blunders in their research design.

(5) Recent controversy in the press about bilingual education has indicated serious confusion about the goals and philosophy of bilingual education. This should be resolved. Otherwise, our hopes for reaching educationally underserved language minorities may be destroyed by blind political backlash.

First, I would like to address myself to the need for bilingual education. Thanks to the survey mandated by the Educational Amendments of 1974, reliable statistics are becoming available which enable us to estimate the extent of need for bilingual education. Unfortunately, there remains some public confusion over the nature of that need, if recent newspaper accounts can be believed. My attempts to reduce that confusion will focus on Spanish speaking Chicano children. However, the Council is very much aware that over 32% of the language minority population in the United States uses a language other than Spanish, and we support bilingual education for the children of all language minorities.

Findings from the 1970 U.S. Census suggest the neglect of Spanish speaking children by public schools. While most people in the U.S. have at least a high school education, the median level of education among the Spanish surnamed is only 9.6 years. The Census documents a similar gap in earnings. Other research focussing on the rural United States shows that only 2% of the Spanish speaking seasonal agricultural workers have completed high school. Among those who are seasonal migrants, the average is 3.4 years of schooling, and one out of five have never been to school. Members of the Committee are probably already familiar with the series of studies by the U.S. Commission on Civil Rights, published in 1971 through 1973, which described many of the educational disadvantages imposed on Mexican-Americans by a wide variety of educational practices and policies. The unwillingness of local school districts to teach in Spanish, or to provide special instruction in English to Spanish speaking pupils, was prominant among the causes of educational disadvantage noted by the Commission. The Supreme Court later acknowledged the discriminatory nature of this policy in its decision on Lau v. Nichols.

Contrary to recent allegations in the press, bilingual education owes most of its popularity to the fact that it is a strategy against educational disadvantage -- disadvantage imposed upon the Spanish speaking child by an English-speaking society that is intolerant of the child's native language and culture. Bilingual education is founded on a rather simple principle: A child will have an easier time learning many things if she or he is taught in his native language. That principle can be applied in at least four ways:

a) Native language can be used to teach English, in much the same way that English-speaking Americans are taught French, Spanish and German in the public schools.

b) Native language can be used to help learn other subjects, such as arithmetic and social studies.

c) Native language can be used to help demonstrate the value of children's unique linguistic and cultural heritage, to help counter the social stigma and other psychological costs of being a minority group child growing up in a frequently intolerant society. Concepts that are unique to child's own culture, and that do not readily translate into English, can be incorporated into the child's education.

d) Study of the native language itself, complete with grammar, vocabulary and style, can provide the minority group child with a head start in meeting "foreign" language requirements in high school and college.

The theory is so simple as to be matter of common sense. Spanish speaking and other language minority children have a disproportionate share of difficulty in school, and tend to receive inferior educations. Instruction in the child's native language is a resource for combatting that well-documented educational neglect. The simple principle underlying bilingual education has not been refuted by any research known to us. Even the recent national evaluation by the American Institutes for Research, which appears to challenge that logic, became so burdened by technical flaws that it was unable to produce any conclusive findings.

Conventional wisdom in the education profession in the past has been that, The sooner the Chicano learns English, the better off he will be in school. The obsession with learning English has been so embedded in educational policy that, until the present decade, it was illegal to use Spanish in the public schools in the southwest. There is some truth to the belief that if a Spanish-speaking child is confined to a classroom where only English is spoken, the child will learn English faster. If a child who doesn't know how to swim is thrown into the deep end of the pool, he will usually learn quickly to stay afloat. But the costs to the child of the sink-or-swim policy in education are exceedingly high. Valuable educational opportunities have been wasted as Chicano children spent their early years in school having to catch up with Anglos who already knew the language. The frequent result, noted in 1970 by the Commission on Civil Rights, was the massive assignment of Chicano children to special classes for the mentally retarded in many school districts throughout the southwest. It was in light of this experience that the first federal bilingual education legislation was passed in 1968. The simple theory, that the child's native language is a useful medium of instruction for the educationally disadvantaged child, remains a compelling argument for the continuation, development and expansion of bilingual education. The argument applies equally to the objectives of learning English, learning other curriculum subjects, improving self-image and appreciation of one's heritage, and the development of bilingual ability.

The survey mandated by the Educational Amendments of 1974, and conducted by the National Center for Education Statistics and the Bureau of the Census, indicates in its Advance Report that there are 1,935,000 pupils in the United States whose usual language is something other than English. Forty-eight percent of those pupils have difficulty in using English. Practically all of them would seem likely to get some benefit from the use of their native language as part of their total educational program.

This compares with a total enrollment in Title VII-supported classrooms of only 259,364 pupils in fiscal year 1976. It is widely reported that not all of that enrollment is necessarily a member of a language minority whose usual language is not English. But even if we make the generous assumption that all of the enrolled pupils usually speak a language other than English, those pupils still represent less than 14% of the 1,935,000 pupils who could benefit from the program. That leaves 1,676,000 pupils in the United States who could benefit from the use of their native language as part of their learning program.

The Council feels that this estimate of unmet need is very conservative. To begin with, pupils who usually use English but who are fluent in Spanish are not counted in the above statistics; these are pupils who could also benefit from bilingual education. Furthermore, the 1970 Census, which was used as a basis for projecting the above statistics, has been widely criticized as tending to undercount Hispanics. The Census Bureau estimates that in March of 1976, there were 11,117,000 persons of Spanish origin in the United States. Competing estimates cited by responsible critics range as high as 16 million. Even if we allow that as many as half a million pupils counted by the mandated survey might not be enrolled in public schools, and that some of the pupils counted might not benefit from native language instruction in spite of their preference for it, the estimate of 1,676,000 pupils in need of Title VII enrollment appears conservative.

While it might seem unnecessary in the year 1977 to present this committee with statistics on the dismal failure of public education institutions in this country to provide an equal educational opportunity for language minority children, I would like to take just a few minutes to remind this committee of the present condition of Chicano children in our schools. Quite bluntly, Chicano students in Colorado do not obtain the benefits of public education at a rate comparable to that of their Anglo classmates. Chicanos are too often victims of the educational system in Colorado, rather than productive participants and beneficiaries. The findings of the Mexican American Education Study of the U.S. Civil Rights Commission reflect a systematic failure of the educational process which not only ignores the needs of Chicano students, but also suppresses their culture, and stifles their hopes and ambitions. In a very real sense, the Chicano is the excluded student. Statistically, there are approximately 98,000 Chicano children in elementary and secondary schools in Colorado constituting 23 percent of the total school population. Chicanos are the largest minority group in Colorado and the southwest. Of one hundred Chicano children in first grade, sixteen will repeat this grade, and forty will not graduate from high school. The dropout rate for Chicanos in Colorado is 34.9%. The comparable rate for Anglos is 19.4% or 4.5 points lower than the state average. In addition, twice as many Chicanos as Anglos are expelled from school; three times as many Chicanos are placed in classes for the mentally retarded; and eight times as many Chicanos are retained at least one year. Chicanos are much more likely to be over-age for their grade than their Anglo peers.*

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*Statistics are taken from the Mexican American Education Study, U.S. Commission on Civil Rights (1973-4) and *Ethnic Distribution in Colorado Public Schools* by the Colorado Department of Education (1973).

Given this background of the public schools' refusal or failure to address the educational needs of language minority children in Colorado, attempts were launched over the past few years to address this institutional neglect. Thus, in 1973 and again in 1974, Chicano legislators introduced bilingual legislation in the Colorado legislature. Unfortunately, we were met with resistance. Finally in 1975 these same legislators successfully enacted the Bilingual Bicultural Education Act which has become model legislation for the country. Some of the unique features of the Colorado Act are: 1) it is bicultural; 2) it requires full-time programs; 3) enrichment rather than remediation is requested; 4) Anglo student enrollment is encouraged; 5) strong parental input in program development and implementation is mandated. Unfortunately, the state has only been able to appropriate 3.1 million dollars for these programs for the 1975-6 school year and these monies were only allowable for grades Kindergarten through Third.

Although our Bilingual Bicultural Education Act, with its limited funding and with its focus only on four grade levels, is but a meager beginning, we have already seen promising results over a one and one-half year implementation period. Evaluation of certain districts such as Pueblo, Colorado and Johnstown, Colorado, indicate that Chicano children have not only improved significantly in all basic subjects, not only when compared to the same grade levels in prior years, but also comparing favorably with their current peers in other scholls which do not have bilingual bicultural programs. Perhaps the most dramatic change for minority children as a result of our statue has been the monumental increase of parental involvement in the school programs. For years educators and other social scientists have argued that minority parents do not care about their childrens' education and refuse to become involved in school programs. Our Act now provides a vehicle for this new wave of parent involvement and we know this will have a dramatic impact on the performance of their children in school. It is much too early to determine whether or not our bilingual bicultural programs will decrease the dropout rate since the majority of children who drop out of school do so in grades ten through twelve. However, the evidence does show that if enough success is met by these children in the early grades, this will go far in providing them the foundational skills essential to pass through the junior and high school levels and hopefully on to higher education.

Notwithstanding the very good results we have experienced with our Act and its limited funding, our state still has desperate need for bilingual bicultural education and for additional financial support for these programs. For example, in the 1976-77 annual census for children in grades Kindergarten through Third in our 181 school districts, approximately 21,473 children were identified with linguistically different skills. However, only 14,633 were enrolled in these programs largely due to lack of funds. Moreover, many of the programs which were funded under the state Act were only funded for Kindergarten and First grade, omitting Second and Third grades, due to limited funding. Unfortunately, due to the financial crunch in Colorado, this year we will have less state money to work with in providing bilingual bicultural education for children.

The Federal government has played a signficant role in helping meet the educational needs of our language minority children in Colorado. Title VII Bilingual funds have been available to our scholls since 1969 and we have developed some excellent bilingual bicultural programs with these federal monies. According to the Department of Education, we have approximately 81 school districts which can apply for Title VII money. However, only 14 districts are presently funded under Title VII, in some part due to the very competitive nature of the funds and the insufficient amount for the entire country which was appropriated by Congress. With only 17% of potential districts receiving Title VII Bilingual monies in Colorado, there appears a compelling need for more federal financial assistance in this area.

Moreover, Title VII funds have been appropriated to several institutions of higher education in Colorado to help prepare teachrs and other professionals to work in local bilingual bicultural programs. It is in this spirit of cooperation that the federal government's financial assistance has worked harmoniously with our own state efforts in providing equal educational opportunity to language minority children.

I am aware that there has been considerable criticism of bilingual bicultural programs throughout the country. I know that there are many who have criticized the manner in which bilingual bicultural programs have been implemented, the particular evaluation techniques which have been used, and the educational gains on the part of program participants which have resulted from these programs. I do not pretend to understand all the technical nuances of the criticism and analysis of current bilingual bicultural programs across the country, but I can tell this committee that in the state of Colorado bilingual bicultural education has resulted in an overwhelming positive improvement in the education of language minority children. We do still have problems and the programs need refinement. Given our experience in Colorado, I believe that any implementation or evaluation problems that have arisen throughout the country can be corrected with the new research and experience which is now available.

It is no national secret that bilingual bicultural programs have been subjected to the traditional double standard; that is, that they have been evaluated, scrutinized and criticized much more harshly than have any other educational programs which have been funded by the federal government. Nevertheless, we are prepared to meet this challenge. But if program quality is to be achieved, we need more financial assistance. Moreover, Senator Paul Sandoval and I have prepared substantive amendments to Title VII which we believe will substantially improve program quality and parental involvement. These are attached.

For those of us in the midwest and the southwest, the question is not whether bilingual bicultural education is going to create political diviciveness in the country; it is not whether we are going to produce children who cannot speak English; it is not whether we are going to transform the melting pot brew into a salad bowl delight. The question for us is quite simply whether or not we are going to provide an equal educational opportunity for language minority children as is provided to other children.

Perhaps I can use a very simple analogy to demonstrate the importance of bilingual bicultural programs for our country. This analogy would require that you consider linguistically different children in this country much as we consider the coal or oil which is embedded in our soil. With coal and oil now being desperately needed as national resources, this country is now beginning to formulate a comprehensive energy policy which can most effectively utilize these natural resources for the benefit of all. In the same vein, this country needs to effectively utilize the resources of its children who bring to this country different languages and cultures which can become vulauable assets in our global geopolitical and international trade and monetary policies. We need not remind this committee of the millions of Spanish-speaking people around the globe who reside in countries and continents which are now entertaining special international expectations of the United States in world affairs. From a strict investment and management perspective, it would be sure foolishness not to utilize the native resources of this country in the form of language minority children to better foster the best interests of the United States throughout the globe. Failure to develop our native multi-lingual and multi-cultural international plenipotentiaries would be a travesty.

For these very plain and simple reasons we in Colorado are asking that the federal government continue to support bilingual bicultural education programs throughout the United States.

Bilingual education is still a developing field in the United States, and has yet to realize its full potential. Although federal funding of bilingual education dates back to 1968, the length of our nation's experience in this field is relatively short when compared to other countries where bilingualism and multilingualism are normal features in education. Canada, Singapore, Switzerland, South Africa and Isreal are mentioned by researchers Edward A. DeAvila and Sharon E. Duncan as countries where bilingualism appears to have had a favorable effect on children's school achievement and mental development. Much of the Title VII resources in our own country have been invested in the development of teachers, aides, administrators and other professionals specializing in bilingual education. It will take time to realize the full returns on this investment as trainees complete their training and allow their abilities to mature through work experience in the field.

The record of bilingual education programs in this country is far from perfect. While we remain convinced of the soundness of the underlying theory of bilingual education, we also appreciate the need to improve upon the administration of the present program. Among our concerns are the following problems.

a) There is a need to ensure effective representation of all segments of the communities served as local program policy decisions are made by Title VII grantees. Local interested citizens should be viewed as a resource by program administrators. Nowhere is the failure to involve local interested citizenry more apparent than in Santa Clara County, California, where an independent group of teachers and artists has complained of being denied information about the local Title VII-funded project they seek to monitor. The conflict between the group, called the Studio Laboratory, and the local grantee, which is the San José Bilingual Consortium, has escalated to what appears to be an unreasonable level. Local decision-making in bilingual education should make more efficient use of interested observers.

b) Short-term training programs for teachers should not be treated as a substitute for extensive, truly specialized, college-level teacher training in bilingual education. Instructional personnel should have a complete mastery of the child's native language and dialect, and a thorough understanding of the theories and philosophy of bilingual and bicultural education. The qualifications for instructional personnel in the Title VII program should be upgraded.

c) Training, research and development grants should not be unduly restricted. Private, non-profit institutions should remain free to compete with institutions of higher learning for such funds, with awards made strictly on the basis of merit.

d) Training grants to graduate students in education should be awarded with due consideration to financial need. The Council would oppose any change in policy which would discontinue allowances for students' dependents. The Council is also concerned that the training grants program not lend itself to abuse of discretionary authority by institutions of higher learning where trainees are enrolled.

We are concerned that undue attention has been given the national impact study conducted by American Institutes for Research. We agree with the testimony of Mr. Michael O' Malley, of the National Institute of Education, that the study is inadequate is several crucial respects. The research staff at the National Council of La Raza finds the interim report issued by AIR completely inadequate for reaching sound conclusions regarding the relative impact of bilingual education to date. According to a critique prepared by Mr. Cortés, who is with me this morning, the principal flaw in AIR's study is the honequivalence of the control group.

It simply isn't fair and reasonable to compare the progress of children in bilingual education with the progress of children in other classrooms, when those other children do not share the same educational disadvantages. For example, the control group had very few non-English-speaking students. Out of a sample of more than 11,000 students studied by AIR, there were 1,033 Spanish mono-linguals enrolled in Title VII classes studied, and only 82 enrolled in the control group. Is it reasonable to expect Title VII classes to outperform the others when 93% of all the Spanish mono-linguals are in the Title VII classes? AIR would say, Yes, according to page VI-6 of their interim report. Is it reasonable to say that the control group can be compared to the Title VII students in order to judge the effectiveness of bilingual education, when some of the control group students have also had some bilingual education in the recent past? Again, AIR in effect says Yes, since some of their controls had participated in bilingual education for one or more years (according to tables in Appendix VI-F). Over 31% of the Hispanics in the control group had been enrolled in bilingual education programs in the past, some for as many as four years. Meanwhile, in the Title VII group studied, 22% of the students had had only a year or less of bilingual education.

These are the sort of design problems in the AIR study that cause us to be skeptical of their findings. Their inability to find a large difference in performance between Title VII children and others is not surprising, given the way AIR went about conducting the study.

Other research on bilingual education has yielded much more encouraging results. Dr. Molina has already mentioned during these hearings some of the findings from studies in states such as Louisiana, which suggest the effectiveness of bilingual education. Research on bilingualism in Montreal, using much more rigorous methods of comparing monolingual and bilingual groups, has found very significant differences in language, intellectual and school achievement. This research is among ten studies, conducted in the United States and other countries, described by Drs. Edward A. DeAvila and Sharon E. Duncan in their 1976 paper for the U.S. Office of Civil Rights; all ten studies reached similar conclusions. Work in progress by Prof. Macario Saldate at the University of Arizona has found significant differences between Title VII students and other children, by measuring improvement in English and Spanish language skills.

Given the serious design flaws of AIR's study, and given the existence of a body of research which is inconsistent with AIR's findings, we urge the Committee to avoid reaching conclusions about program impact based on AIR's work alone.

My final point concerns the apparent confusion over goals and philosophy of bilingual education and the Title VII program. It has been argued during these hearings that Title VII should give top priority to children with little or no proficiency at English. The National Council of La Raza agrees that this should be one of the principal goals of bilingual education. But this does not mean that children who are proficient at English should be excluded from the present program.

The Title VII program should focus on the needs of educationally disadvantaged children who can benefit from bilingual instruction, regardless of their English language proficiency. Every resource should be used to combat the legacy of past discrimination against language minorities in the public schools. Bilingual education is one such resource. It uses native language, including its unique concepts and its tacit acceptance of the child's background and culture, to augment normal classroom instruction. Even if the child from a Spanish speaking family has since gained an acceptable proficiency in English, that child is likely to experience a disproportionate amount of difficulty in school. Use of the language of his parents, to assist with the mastery of essential concepts, knowledge and skills at school, is one of the several strategies that should be employed in order to counter educational disadvantage. The child should not be denied that option, simply because she or he has achieved some mastery of English.

Title VII programs should not become a vehicle for returning to segregated education. Dr. Molina has already noted in his testimony that there is a need for a mixture of English and non-English speaking children in the classroom if the child with limited English proficiency is to derive the most benefit from Title VII. He noted that research has yet to identify the optimal classroom mix. It remains clear, however, that some sort of mix is needed. In addition to optimizing efforts to educate the non-English speaking child, mixing has an important fringe benefit: other children will be enriched, culturally and linguisticly, for having participated in an integrated Title VII program. It would not be in the best interests of the non-English speaking child to segregate her or him in a class where English speaking children are excluded.

It would be short-sighted to give such high priority to non-English speaking children that the other demonstration benefits of Title VII are lost. It seems unlikely that Title VII will ever serve all 1,935,000 children who could benefit from it. It is also unlikely that the 48% of that population presently experiencing difficulty with English will all be enrolled in Title VII classes. Our best hope for reaching all those who will need it in the future is to convince local school districts to adopt bilingual education methods on their own initiative, with perhaps a limited amount of federal assistance in starting up. Training more completely qualified instructional personnel is an important part of that strategy. Another essential part is the demonstration objective originally intended for the Title VII program. This will require continued diversity in the national Title VII effort. It would be premature to start restricting the program to just students who are unable to learn in English. There are other students who can also benefit from the program. The full range of benefits needs to be demonstrated. We need that sort of evidence to help convince state and local educational agencies to incorporate bilingual methods into their own programs, on their own initiative, and with their own funds. This should remain the ultimate goal of the bilingual education program.

Mr. Chairman, I thank you for the opportunity to present our views to this Committee.

ATTACHMENT

Proposed Amendments to the Elementary and Secondary Education Act,
Title VII

COLORADO
HOUSE OF REPRESENTATIVES
STATE CAPITOL
DENVER, COLORADO 80203

February 15, 1977

Senator Edward M. Kennedy
431 Senate Office Building
Washington, D.C. 20510

Dear Senator Kennedy:

The Chicano legislators in Colorado have been committed to enacting quality bilingual bicultural legislation for language minority children. As a result of our efforts, and those of many citizens and interested groups, we were able to enact the country's most comprehensive Bilingual Bicultural Education Act in July, 1975 (C.R.S. 22-24-101, et seq, 1973 as amended).

While we believe that the federal Bilingual Education Act (20 U.S.C. § 880b) was the most innovative education legislation enacted for the benefit of language minority people, we recommend that it be amended. Accordingly, we are proposing amendments to the federal law, attached hereto, for your consideration.

We would be interested in your reactions, criticisms, or comments.

Respectfully,

Ruben Valdez

Ruben Valdez
House Minority Leader

sp

Attachment

PAUL SANDOVAL
State Senator
3647 Vallejo
Denver, Colorado 80211
Phone: 433-9649

Senate Chamber
State of Colorado
Denver

COMMITTEES
Member of:
Appropriations
Joint Budget

February 15, 1977

Senator Edward M. Kennedy
431 Senate Office Building
Washington, D. C. 20510

Dear Senator Kennedy:

As Representative Valdez's letter makes clear, we are excited about the Colorado Bilingual Bicultural Act and the results for children. Based on our experience here, Representative Valdez and I have prepared amendments to the Title VII legislation which we feel would substantially improve Title VII programs throughout the country and particularly in the Southwest.

We feel that the amendments will result in program improvements, increased parental involvement, and creation of bilingual bicultural programs which are not based on a deficit model. While the amendments may be initially controversial, as was the Colorado Act, we feel that the end result will be programs which are substantially more effective than the present ones.

We would appreciate your careful attention to this matter and look forward to hearing from you soon. Thanks for your continuing concern and support.

Sincerely,

Paul Sandoval

Paul Sandoval

sp

§ 880b Congressional declaration of policy; authorization of appropriations

(a) Recognizing --

(1) that there are large numbers of children ~~of limited English speaking ability~~, WITH LINGUISTICALLY DIFFERENT SKILLS;

...

(4) that, therefore, large numbers of children ~~of limited English speaking ability~~ WITH LINGUISTICALLY DIFFERENT SKILLS have educational needs which can be met by the use of bilingual-BICULTURAL educational methods and techniques; and

(5) that, in addition, children ~~of limited English speaking ability~~ WITH LINGUISTICALLY DIFFERENT SKILLS benefit through the fullest utilization of multiple language and cultural resources,

the Congress declares it to be the policy of the United States, in order to establish equal educational opportunity for all children (A) to encourage the establishment and operation, where appropriate, of educational programs using bilingual-BICULTURAL educational practices, techniques, and methods, and (B) for that purpose, to provide financial assistance to local educational agencies, and to State educational agencies for certain purposes in order to enable such local educational agencies to develop and carry out such programs in elementary and secondary schools, including activities at the preschool level, which are designed to meet the educational needs of such children; and to ~~demonstrate effective ways of providing for children of limited English speaking ability, instruction designed to enable them while using their native language, to achieve competence in the English language~~ PROVIDE FOR INSTRUCTION DESIGNED TO ENSURE THE COGNITIVE AND AFFECTIVE DEVELOPMENT OF THE STUDENTS WITH LINGUISTICALLY DIFFERENT SKILLS BY: UTILIZING THE LINGUISTIC AND CULTURAL BACKGROUNDS OF THE STUDENTS IN THE CURRICULUM; PROVIDING THESE STUDENTS WITH OPPORTUNITIES TO EXPAND THEIR CONCEPTUAL AND LINGUISTIC ABILITIES AND POTENTIALS IN A SUCCESSFUL AND POSITIVE MANNER; AND DEVELOPING CULTURAL AND ETHNIC PRIDE AND UNDERSTANDING AMONG THESE AND OTHER STUDENTS.

...

COMMENTS: The purposes of the amendments above are to: 1) eliminate the "deficiency" model and negative implications of the term "limited English-speaking children"; 2) to add a "bicultural" element to the bilingual description; and 3) to broaden the scope and objectives of the Act beyond a mere improvement of English language abilities and to extend it to

COMMENTS contd.

encompass over-all cognitive and affective development; and 4) to terminate the "demonstration" thrust of the original Act. Bilingual Bicultural education is not a "language program"; rather, it is a process through which children develop competitive cognitive and affective attributes while mastering two languages. It is not a "remedial" or "compensatory" program - it is an enrichment educational process.

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§ 880b-1. General provision - Definitions; ~~English speaking children,~~ CHILDREN WITH LINGUISTICALLY DIFFERENT SKILLS, enrollment; application

(a) The following definitions shall apply to the terms used in this subchapter:

(1) The term "~~limited English-speaking ability~~" LINGUISTICALLY DIFFERENT SKILLS when used with reference to an individual, means--

(~~A~~) ~~individuals who were not born in the United States or whose native language is a language other than English, and~~

(A) INDIVIDUALS WHO HAVE DIFFERENT LANGUAGE SKILLS DUE TO THE INFLUENCE OF ANOTHER LANGUAGE IN THEIR FAMILY, COMMUNITY OR PEER GROUP, OR DUE TO THE INFLUENCE OF AN ENVIRONMENT OF DIFFERENT CUSTOMS AND TRADITIONS WHICH MAY INCLUDE THE PRESENCE

OF ANOTHER LANGUAGE IN THEIR FAMILY, COMMUNITY, OR PEER GROUP; OR

(B) individuals who come from environments where a language other than English is dominant, as further defined by the Commissioner by Regulations; OR ~~and by reason thereof, have difficulty speaking and understanding instruction in the English language.~~

(C) INDIVIDUALS WHO HAVE SOME ABILITY IN ANOTHER LANGUAGE, INCLUDING EITHER EXPRESSIVE OR RECEPTIVE SKILLS; OR

(D) INDIVIDUALS WHO HAVE DIFFICULTY SPEAKING OR UNDERSTANDING INSTRUCTION IN THE ENGLISH LANGUAGE;

AND WHO ARE NOT PRESENTLY TAKING FULL ADVANTAGE OF EDUCATIONAL PROGRAMS TAUGHT IN ENGLISH.

COMMENTS: The present Act defines and characterizes children who can benefit from bilingual bicultural education too restrictively and thereby addresses children who are "dominant" in a language other than English or children who can neither speak nor understand English language instruction. However, there are many more children who are not "dominant" in another language, or who have low levels of language ability in both languages, or who only have receptive skills in another language, or who are influenced by their cultural background so as to make English

COMMENTS contd.

language instruction incompatible with their learning styles. Accordingly, the proposed definitional amendments above open programs for additional children in need of bilingual bicultural education.

The proposed amendments above also eliminate the clause "by reason thereof" in that it requires local education agencies to demonstrate a causal nexus between a child's English skills (however low) and home or native language. There are many factors which affect a child's English language skills, especially second or third generation language minority children, and it is difficult to assume that native or home language is the only causal factor. The amendments therefore only require a showing of characterisitics (A), (B), (C), or (D) and that the child is "not presently taking full advantage of present educational programs taught in English."

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(2) The term "native language" when used with reference to an individual ~~of limited English-speaking ability~~ WITH LINGUISTICALLY DIFFERENT SKILLS means the language normally used by such individuals, or in the case of a child, the language normally used by the parents of the child.

...

~~(4)(A) The term "program of bilingual education" means a program of instruction, designed for~~

~~children of limited English-speaking ability in elementary or secondary schools in which, with respect to the years of study to which such program is applicable -~~

~~(i) there is instruction given in, and study of, English and, to the extent necessary to allow a child to progress effectively through the educational system, the native language of the children of limited English-speaking ability, and such instruction is given with appreciation for the cultural heritage of such children and, with respect to elementary school instruction, such instruction shall, to the extent necessary, be in all courses or subjects of study which will allow a child to progress effectively through the educational system, and~~

(4)(A) THE TERM "PROGRAM OF BILINGUAL-BICULTURAL EDUCATION" MEANS THE PROGRAM OF INSTRUCTION DESIGNED TO ASSURE THE COGNITIVE AND AFFECTIVE DEVELOPMENT OF STUDENTS WITH LINGUISTICALLY DIFFERENT SKILLS IN ELEMENTARY AND SECONDARY SCHOOLS, IN WHICH, WITH RESPECT TO THE YEARS OF STUDY TO WHICH SUCH PROGRAM IS APPLICABLE -

(i) A FULL-TIME PROGRAM OF INSTRUCTION OF SUFFICIENT DURATION AND SCOPE TO MEET THE EDUCATIONAL NEEDS OF STUDENTS WITH LINGUISTICALLY

DIFFERENT SKILLS, AND IN WHICH ALL SUBJECTS OF THE LOCAL EDUCATION AGENCY'S CURRICULUM, AND ALL SUBJECTS REQUIRED TO BE TAUGHT BY LAW SHALL BE GIVEN IN THE LANGUAGE OF SAID STUDENTS AND IN ENGLISH;

(ii) THE NECESSARY SKILLS OF COMPREHENSION, SPEAKING, READING, AND WRITING ARE TAUGHT IN BOTH LANGUAGES;

(iii) THE HISTORY AND CULTURE OF THE UNITED STATES AND THE HISTORY, CULTURE AND CULTURAL CONTRIBUTIONS ASSOCIATED WITH THE LANGUAGE OF THE STUDENTS WITH LINGUISTICALLY DIFFERENT SKILLS ARE PRESENTED TO THE STUDENTS IN BOTH LANGUAGES;

~~(ii)~~ (IV) the requirements in subparagraphs (B) through (~~E~~) (H) of this paragraph and established pursuant to subsection (b) of this section are met.

(B) A program of bilingual BICULTURAL education may make provision for the voluntary enrollment to a limited degree therein on a regular basis, of children whose language is English, in order that they may acquire an understanding of the cultural heritage AND LANGUAGE of the ~~children of limited English-speaking ability~~ CHILDREN WITH LINGUISTICALLY DIFFERENT SKILLS for whom the particular program of bilingual BICULTURAL education is designed. ~~In~~

~~determining eligibility to participate in such programs, priority shall be given to the children whose language is other than English. In no event shall the program be designed for the purpose of teaching a foreign language to English-speaking children.~~ A LOCAL EDUCATION AGENCY'S PROGRAM SHALL GIVE PREFERENCE TO STUDENTS WITH LINGUISTICALLY DIFFERENT SKILLS AND SHALL ALSO BE OPEN TO OTHER STUDENTS.

(~~b~~) ~~In such courses or subjects of study as art, music and physical education, a program of bilingual education shall make provision for the participation of children of limited English-speaking ability in regular classes.~~

(C) THE BILINGUAL BICULTURAL PROGRAM SHALL BE LOCATED IN THE REGULAR CLASSROOMS OF THE SCHOOLS AND NOT IN SEPARATE FACILITIES, AND NO LOCAL EDUCATION AGENCY SHALL ASSIGN STUDENTS TO SCHOOLS OR CLASSROOMS IN SUCH A WAY THAT WILL PROMOTE, ENCOURAGE, OR HAVE THE EFFECT OF ISOLATING STUDENTS BY RACE, COLOR, OR NATIONAL ORIGIN. COMPOSITION OF CLASSES SHALL NOT TEND TO GROUP OR SEPARATE CHILDREN ACCORDING TO THEIR ABILITY AS MEASURED BY INSTRUMENTS WHICH HAVE NOT BEEN VALIDATED FOR CULTURAL OR LINGUISTIC BIAS. EVERY EDUCATIONAL AGENCY SHALL ENSURE THAT STUDENTS ENROLLED IN PROGRAMS SHALL HAVE AN

EQUAL AND MEANINGFUL OPPORTUNITY TO PARTICIPATE FULLY WITH OTHER STUDENTS IN ALL CURRICULAR AND EXTRA-CURRICULAR ACTIVITIES.

(D) Children enrolled in a program of bilingual BICULTURAL education shall, if graded classes are used, be placed, to the extent practicable, in classes with children of approximately the same age. ~~If children of significantly varying ages or levels of educational attainment are placed in the same class,~~ The program of bilingual BICULTURAL education shall seek to insure that each child is provided with instruction which is appropriate. ~~for his or her level of educational attainment.~~

(~~E~~) ~~An application for a program of bilingual education shall be developed in consultation with parents of children of limited English-speaking ability, teachers, and where applicable, secondary school students in the areas to be served, and assurances shall be given in the application that, after the application has been approved under this subchapter, the applicant will provide for participation by a committee composed of, and selected by, such parents, and, in the case of secondary schools, representatives of secondary school students to be served.~~

(E) IN SELECTING TEACHERS FOR A PROGRAM, LOCAL EDUCATION AGENCIES SHALL, CONSISTENT WITH GUIDELINES PROMULGATED BY THE COMMUNITY COMMITTEE AND THE SCHOOL BOARD, MAKE AN AFFIRMATIVE EFFORT TO SEEK, RECRUIT AND EMPLOY PERSONS WHO ARE BILINGUAL AND WHO SHARE OR REFLECT THE CULTURE OF THE STUDENTS WITH LINGUISTICALLY DIFFERENT SKILLS.

(F) LOCAL EDUCATION AGENCIES SHALL PROVIDE FOR THE MAXIMUM INVOLVEMENT OF PARENTS OF STUDENTS ENROLLED IN THE PROGRAMS. ACCORDINGLY, A REGULAR COMMUNITY BILINGUAL COMMITTEE SHALL BE ESTABLISHED WITHIN EACH DISTRICT OFFERING A BILINGUAL AND BICULTURAL PROGRAM. THIS COMMUNITY COMMITTEE SHALL WORK IN COOPERATION WITH THE LOCAL EDUCATION AGENCY IN: PROGRAM PLANNING; PROPOSAL DEVELOPMENT AND SUBMISSION; PROGRAM IMPLEMENTATION; SCREENING AND HIRING OF TEACHERS AND AIDES; CURRICULUM DEVELOPMENT; AND OVERALL PROGRAM DESIGN, IMPLEMENTATION AND EVALUATION. THE PARENTS OF STUDENTS ENROLLED IN EACH RESPECTIVE PROGRAM OF EACH SCHOOL SHALL ELECT THE COMMUNITY COMMITTEE. THE COMMUNITY COMMITTEE SHALL HAVE NO MORE THAN EIGHT PARENT MEMBERS OF WHOM AT LEAST 75 PER CENT ARE PARENTS OF CHILDREN WITH LINGUISTICALLY DIFFERENT SKILLS. THE PARENTS ELECTED SHALL BE PARENTS OF STUDENTS TO BE ENROLLED IN THE PROGRAM. ANY COMMUNITY

COMMITTEE SHALL HAVE THE OPTION OF ESTABLISHING COMMUNITY COMMITTEES FOR EACH SCHOOL OFFERING A PROGRAM. IN ADDITION TO THE PARENT MEMBERS OF EACH COMMUNITY COMMITTEE, A REPRESENTATIVE OF THE BILINGUAL TEACHERS AND A REPRESENTATIVE OF THE BILINGUAL TEACHERS' AIDES SHALL BE MEMBERS OF EACH RESPECTIVE COMMUNITY COMMITTEE. SCHOOL PRINCIPALS AND ALL OTHER ADMINISTRATORS SHALL PARTICIPATE AND COOPERATE WITH THE COMMUNITY COMMITTEE.

(G) THE OFFICE SHALL NOT APPROVE ANY APPLICATION FOR GRANT UNLESS IT IS ACCOMPANIED BY THE WRITTEN COMMENTS OF THE COMMUNITY COMMITTEE, AND UNLESS SAID APPLICATION HAS BEEN VOTED UPON BY THE COMMUNITY COMMITTEE. THE VOTE AND COMMENTS OF THE COMMUNITY COMMITTEE SHALL BE GIVEN SERIOUS CONSIDERATION BY THE OFFICE BEFORE SAID APPLICATION IS APPROVED.

(H) THE LOCAL EDUCATION AGENCY SHALL FURNISH EACH MEMBER OF THE COMMUNITY COMMITTEE, FREE OF CHARGE, A COPY OF THIS TITLE, THE RULES, REGULATIONS, OR PROCEDURES ADOPTED BY THE OFFICE OF EDUCATION, THE LOCAL EDUCATION AGENCY'S APPLICATION FOR GRANT, AND SUCH OTHER INFORMATION AS IS REASONABLY NECESSARY FOR THE EFFECTIVE INVOLVEMENT OF THE COMMUNITY COMMITTEE. THE LOCAL EDUCATION AGENCY SHALL ALSO FURNISH

THE COMMUNITY COMMITTEE ITS PLANS, AND THE OFFICE OF EDUCATION'S PLANS, FOR FUTURE BILINGUAL AND BICULTURAL PROGRAMS, TOGETHER WITH A DESCRIPTION OF THE PROCESS OF PLANNING AND DEVELOPING SAID PROGRAMS AND THE PROJECTED TIMELINES AT WHICH EACH STAGE OF THE PROCESS WILL START AND BE COMPLETED. THE LOCAL EDUCATION AGENCY SHALL ALSO FURNISH, AND THE COMMUNITY COMMITTEE SHALL ALSO HAVE ADEQUATE OPPORTUNITY TO CONSIDER, INFORMATION CONCERNING THE EDUCATIONAL NEEDS OF CHILDREN WITH LINGUISTICALLY DIFFERENT SKILLS RESIDING WITHIN THE LOCAL EDUCATION AGENCY'S ATTENDANCE BOUNDARIES AND THE VARIOUS PROGRAMS AVAILABLE TO MEET THOSE NEEDS. THE COMMUNITY COMMITTEE SHALL ASSIST IN IDENTIFYING THOSE NEEDS WHICH SHOULD BE ADDRESSED THROUGH THE PROGRAMS INSTITUTED PURSUANT TO THIS TITLE. THE COMMUNITY COMMITTEE SHALL ALSO HAVE AN OPPORTUNITY TO REVIEW EVALUATIONS OF PRIOR PROGRAMS. THE COMMUNITY COMMITTEE SHALL ASSIST IN, AND SHALL BE INFORMED OF ALL PERFORMANCE CRITERIA BY WHICH THE PROGRAMS ARE TO BE EVALUATED. THE COMMUNITY COMMITTEE SHALL ADOPT AND DISSEMINATE ADEQUATE PROCEDURES TO INSURE PROMPT RESPONSE TO COMPLAINTS AND SUGGESTIONS FROM ALL PARENTS WHOSE CHILDREN ARE ENROLLED IN THE PROGRAM.

(I) IN ORDER TO AID THE COMMUNITY COMMITTEE WITH THE DUTIES AND RESPONSIBILITIES OUTLINED IN SUBPARAGRAPHS F, G, AND H OF THIS PARAGRAPH, THE CONGRESS HEREBY AUTHORIZES FUNDS UNDER THIS TITLE FOR THE FUNDING OF TECHNICAL ASSISTANCE SPECIALISTS FOR THE COMMUNITY COMMITTEES. SUCH SPECIALIST(S) WILL BE HIRED BY THE COMMUNITY COMMITTEE OF THE LOCAL EDUCATION AGENCY FOR THE PURPOSE OF ASSISTING THE COMMITTEE IN ITS DUTIES AND TO FUNCTION AS A FASCILLITATOR, PARENT CONTACT, AND INFORMATION SPECIALIST(S). TECHNICAL ASSISTANCE SPECIALIST(S) SHALL BE PAID AT A RATE COMPARABLE TO THAT OF THE LOCAL EDUCATION AGENCY SALARY SCALE FOR PROFESSIONAL TEACHING PERSONNEL.

(5) The term "Office" means the Office of Bilingual BICULTURAL Education.

(6) The term "Director" means the Director of the Office of Bilingual BICULTURAL Education.

(7) The term ~~"Council"~~ "TASK FORCE" means the National ~~Advisory Council~~ TASK FORCE on Bilingual BICULTURAL Education.

(8) The term "other programs for persons ~~of limited English-speaking ability~~" WITH LINGUISTICALLY DIFFERENT SKILLS when used in sections 880b-10 and 880b-11 of this title means the program authorized by section 1607(c) of this title and the programs carried out in coordination with the

provisions of this subchapter pursuant to section 1393 to 1393f of this title and section 1205(a)(11) of this title, and programs ~~of limited English-speaking ability~~ WITH LINGUISTICALLY DIFFERENT SKILLS pursuant to section 351(b)(4) of this title.

Model Programs

(b) The Commissioner, after receiving recommendations from State and local educational agencies and groups and organizations involved in bilingual BICULTURAL education, shall establish, publish, and distribute, with respect to programs of bilingual BICULTURAL education suggested models with respect to pupil-teacher ratios, teacher qualifications, and other factors affecting the quality of instruction offered in such programs.

Regulations

(c) In prescribing regulations under this section, the Commissioner shall consult with State and local educational agencies, appropriate organizations representing parents and children ~~of limited English-speaking ability~~ WITH LINGUISTICALLY DIFFERENT SKILLS and educators involved in bilingual BICULTURAL education.

. . .

NOTE: From § 880b-7 through the remainder, add "BICULTURAL" to the word "bilingual" and substitute "children with linguistically different skills" for "children of limited English-speaking ability".

. . .

CREATION OF STATE PARENT INVOLVEMENT SPECIALISTS

§ 880b-10(c). REALIZING THAT PARENTS OF LINGUISTICALLY DIFFERENT CHILDREN PARTICIPATE IN A LIMITED FASHION IN THE EDUCATIONAL PROCESS, CONGRESS HEREBY CREATES THE DEPARTMENT OF PARENT INVOLVEMENT SPECIALISTS IN THE OFFICE OF BILINGUAL BICULTURAL EDUCATION. THE FUNCTIONS OF THIS DEPARTMENT SHALL BE:

(1) TO ENCOURAGE AND MONITOR FULL IMPLEMENTATION OF 880b-1(a)(4)(F),(G), AND (H) OF THIS TITLE;

(2) TO ESTABLISH FIELD OFFICES IN STATES OR TERRITORIES IMPLEMENTING BILINGUAL BICULTURAL EDUCATION PROGRAMS FUNDED UNDER THIS TITLE;

(3) TO ENCOURAGE LOCAL PARENT INVOLVEMENT, TO DEVELOP INFORMATIONAL MATERIALS DESIGNED TO ENCOURAGE PARENT INVOLVEMENT, TO INFORM PARENTS, TO PROVIDE TRAINING FOR PARENTS, AND TO ENCOURAGE STATE EDUCATION AGENCIES TO ASSIST IN THE ABOVE ACTIVITIES.

NOTE: CHANGE SUBSEQUENT NUMERATION ACCORDINGLY.

. . .

§ 880b-11. National ~~Advisory Council~~ TASK FORCE on Bilingual BICULTURAL Education-Establishment; membership; Chairman; qualifications; representation of interested persons and geographic areas.

(a) Subject to part D of the General Education Provisions Act, there shall be a National ~~Advisory Council~~ TASK FORCE on Bilingual BICULTURAL Education composed of eighteen members appointed by the Secretary, one of whom he shall designate as Chairman. At least ~~eight~~ NINE of the members of the ~~Council~~ TASK FORCE shall be persons experienced in dealing with the educational ~~problems~~ PROCESSES of children and other persons who ~~are of limited English-speaking ability~~ HAVE LINGUISTICALLY DIFFERENT SKILLS, at least one of whom shall be representative of persons serving on boards of education operating programs of bilingual BICULTURAL education, AND AT LEAST THREE OF WHOM SHALL BE PARENTS OF CHILDREN WITH LINGUISTICALLY DIFFERENT SKILLS ENROLLED IN A PROGRAM FUNDED UNDER THIS TITLE. At least three members shall be experienced in the training of teachers in programs of bilingual BICULTURAL education. At least ~~two~~ THREE members shall be persons with general experience in the field of elementary and secondary education. At least ~~two~~ THREE members shall be classroom teachers of demonstrated teaching abilities using bilingual BICULTURAL methods and techniques. The members of the Council shall be appointed in such a way as to be generally representative of the significant segments of the population of persons ~~of limited English-speaking ability~~ WITH LINGUISTICALLY DIFFERENT SKILLS and the geographic areas in which they reside.

Mr. CORRADA. Thank you very much, Mr. Valdez. We will have some questions for you after we have heard the other witneses.

Ms. Swanson, President of National Association for Bilingual Education.

STATEMENT OF MS. MARIA SWANSON, PRESIDENT, NATIONAL ASSOCIATION FOR BILINGUAL EDUCATION

Ms. SWANSON. Mr. Chairman and distinguished members of the Subcommittee on Elementary, Secondary, and Vocational Education, my name is Maria Medina Swanson from the State of Illinois, and I appear before you to testify on behalf of the National Association for Bilingual Education as its duly elected president.

Our association presently has close to 3,000 members from every region in this country, from all levels of our educational system, and representing a broad scope of cultural and linguistic background. They are teachers, paraprofessionals, students, college professors, administrators, and community members who share a common interest – bilingual education. It is the philosophy of the National Association for Bilingual Education that in a multilingual and multicultural country such as ours, language is the most obvious cultural characteristic of our people.

Mr. CORRADA. Attached to your testimony is a document entitled "Proposed Revisions to the Bilingual Education Act, and you are asking that it be made part of the record. Without objection, that document attached to your testimony will be made part of the record.

[The information referred to above follows:]

PROPOSED REVISIONS

TO THE

BILINGUAL EDUCATION ACT

Developed by the Legislative Workshop
at the
National Association for Bilingual Education
Sixth Annual International Bilingual
Bicultural Education Conference

and

Endorsed by NABE members
April 6, 1977

white pages - Original Act
green pages - Proposed Revisions

Bilingual Education Act (880b)

S880b Congressional declaration of policy; authorization of appropriations

(a) Recognizing--

(1) that there are large numbers of children of limited English-speaking ability;

(2) that many of such children have a cultural heritage which differs from that of English-speaking persons;

(3) that a primary means by which a child learns is through the use of such child's language and cultural heritage;

(4) that, therefore, large numbers of children of limited English-speaking ability have educational needs which can be met by the use of bilingual educational methods and techniques; and

(5) that, in addition, children of limited English-speaking ability benefit through the fullest utilization of multiple language and cultural resources,

the Congress declares it to be the policy of the United States, in order to establish equal educational opportunity for all children (A) to encourage the establishment and operation, where appropriate, of educational programs using bilingual educational practices, techniques, and methods, and (B) for that purpose, to provide financial assistance to local educational agencies, and to State educational agencies for certain purposes, in order to enable such local educational agencies to develop and carry out such programs in elementary and secondary schools, including activities at the preschool level, which are designed to meet the educational needs of such children; and to demonstrate effective ways of providing, for children of limited English-speaking ability, instruction designed to enable them, while using their native language, to achieve competence in the English language.

(b) (1) Except as is otherwise provided in this subchapter, for the purpose of carrying out the provisions of this subchapter, there are authorized to be appropriated $135,000,000 for the fiscal year ending June 30, 1974; $135,000,000 for the fiscal year ending June 30, 1975; $140,000,000 for the fiscal year ending June 30, 1976; $150,000,000 for the fiscal year ending June 30, 1977; and $160,000,000 for the fiscal year ending June 30, 1978.

(2) There are further authorized to be appropriated to carry out the provisions of section 880b--7(b)(3) of this title $6,750,000 for the fiscal year ending June 30,1974; $7,250,000 for the fiscal year ending June 30, 1975; $7,750,000 for the fiscal year ending June 30, 1976; $8,750,000 for the

BILINGUAL EDUCATION ACT

PROPOSED REVISIONS

S880b Congressional declaration of policy; authorization of appropriations

(a) Recognizing--

(1) that a primary means by which an individual learns is through the use of the individual's own language and heritage;

(2) that, in addition, all individuals benefit through the fullest utilization of multiple language and cultural resources;

(3) that there are large numbers of individuals in society who possess different language and cultural backgrounds and who must have and must be offered the opportunity of bilingual education, and in the recognition of the fact that such numbers are continuing to increase;

(4) that, therefore, large numbers of individuals have educational needs which can be met by the use of the methods and techniques of multilingual education;

(5) that, in order to implement multilingual and multicultural educational methods and techniques; these can be achieved by capitalizing on the natural resources of persons of a culture and language other than English.

BILINGUAL EDUCATION ACT (Proposed Revisions)

The Congress declares it to be the policy of the United States in order to establish equal educational opportunity for all individuals

(a) to encourage the establishment and operation of educational programs using multilingual educational practices, techniques, and methods and

(b) for that purpose, to provide financial assistance to local educational agencies, and to State educational agencies for certain purposes in order to enable such local educational agencies to develop and carry out such programs in elementary and secondary schools, including activities at the preschool and post-secondary levels which are designed to meet the educational needs of all individuals.

fiscal year ending June 30, 1977; and $9,750,000 for the fiscal year ending June 30, 1978.

(3) From the sums appropriated under paragraph (1) for any fiscal year--
  (A) the Commissioner shall reserve $16,000,000 of that part thereof which does not exceed $70,000,000 for training activities carried out under clause (3) of subsection (a) of section 880b--7 of this title, and shall reserve for such activities 33 1/3 per centum of that part thereof which is in excess of $70,000,000; and
  (B) the Commissioner shall reserve from the amount not reserved pursuant to clause (A) of this paragraph such amounts as may be necessary, but not in excess of 1 per centum thereof, for the purposes of section 880b-11 of this title.

S880b--1. General provisions--Definitions; English-speaking children, enrollment; application

(a) The following definitions shall apply to the terms used in this subchapter:
  (1) The term "limited English-speaking ability", when used with reference to an individual, means--
    (A) individuals who were not born in the United States or whose native language is a language other than English, and
    (B) individuals who come from environments where a language other than English is dominant, as further defined by the Commissioner by regulations;

and, by reason thereof, have difficulty speaking and understanding instruction in the English language.

  (2) The term "native language", when used with reference to an individual of limited English-speaking ability, means the language normally used by such individuals, or in the case of a child, the language normally used by the parents of the child.
  (3) The term "low-income" when used with respect to a family means an annual income for such a family which does not exceed the low annual income determined pursuant to section 241c of this title.
  (4) (A) The term "program of bilingual education" means a program of instruction, designed for children of limited English-speaking ability in elementary or secondary schools, in which, with respect to the years of study to which such program is applicable--

BILINGUAL EDUCATION ACT (Proposed Revisions)

S880b--1. General provisions--Definitions; English-speaking individuals, enrollment; application

(a) The following definitions shall apply to ther terms used in this subchapter:

(1) The term "partially bilingual or bilingual" implies a recognition of an existing resource and ability and when used with reference to an individual, means--

(A) individuals who were not born in the United States or whose native language is a language other than English, and

(B) individuals who come from environments where a language other than English is utilized, and

(C) the definitions of impact populations addressed in the Lau Nichols mandate.

(2) The term "native language" means the language normally used at home by such individuals, or the language used by the family of the individual.

(3) The term "low income" or socio-economic variable is not to be used exclusively as a mechanism of identification or enrollment of the prospective student/client/participant. Primary consideration should be focused on developing enrollment mechanisms based on need, voluntary efforts and/or population parity.

(4) (A) The term "program of bilingual education" means a program designed to facilitate the attainment of the individual student's fullest potential--personal, societal, linguistic and cultural; it is a program that:

(1) enriches dominant language of the individual,

(2) develops and maximizes skills in the second language,

(3) utilizes appropriate methodologies and curriculum materials for the development of skills in the various content areas.

(B) The terms bilingual/multilingual are used interchangeably.

(i) there is instruction given in, and study of, English and, to the extent necessary to allow a child to progress effectively through the educational system, the native language of the children of limited English-speaking ability, and such instruction is given with appreciation for the cultural heritage of such children, and, with respect to elementary school instruction, such instruction shall, to the extent necessary, be in all courses or subjects of study which will allow a child to progress effectively through the educational system; and

(ii) the requirements in subparagraphs (B) through (E) of this paragraph and established pursuant to subsection (b) of this section are met.

(B) A program of bilingual education may make provision for the voluntary enrollment to a limited degree therein, on a regular basis, of children whose language is English, in order that they may acquire an understanding of the cultural heritage of the children of limited English-speaking ability for whom the particular program of bilingual education is designed. In determining eligibility to participate in such programs, priority shall be given to the children whose language is other than English. In no event shall the program be designed for the purpose of teaching a foreign language to English-speaking children.

(C) In such courses or subjects of study as art, music, and physical education, a program of bilingual education shall make provision for the participation of children of limited English-speaking ability in regular classes.

(D) Children enrolled in a program of bilingual education shall, if graded classes are used, be placed, to the extent practicable, in classes with children of approximately the same age and level of educational attainment. If children of significantly varying ages or levels of educational attainment are placed in the same class, the program of bilingual education shall seek to insure that each child is provided with instruction which is appropriate for his or her level of educational attainment.

(E) An application for a program of bilingual education shall be developed in consultation with parents of children of limited English-speaking ability, teachers, and, where

(i) there is instruction given in at least two languages; English and another language, one of which is the native language of the individual and emphasizes the cultural heritage of the learner.

(B) A program of bilingual education should make provisions for the voluntary enrollment of all individuals. In determining eligibility to participate in such programs, LEAs must give first priority to non-English language and cultural resources of individuals.

(C) All courses or subjects of study including art, music, and physical education are part of the program of bilingual education.

(D) Individuals should be grouped in such a way that the goals of bilingual education programs as stated are met.

applicable, secondary school students, in the areas to be served, and assurances shall be given in the application that, after the application has been approved under this subchapter, the applicant will provide for participation by a committee composed of, and selected by, such parents, and, in the case of secondary schools, representatives of secondary school students to be served.

(5) The term "Office" means the Office of Bilingual Education.

(6) The term "Director" means the Director of the Office of Bilingual Education.

(7) The term "Council" means the National Advisory Council on Bilingual Education.

(8) The term "other programs for persons of limited English-speaking ability" when used in sections 880b-10 and 880b-11 of this title means the program authorized by section 1607(c) of this title and the programs carried out in coordination with the provisions of this subchapter pursuant to section 1262(a) (4) (C) of this title and sections 1393 to 1393f of this title and section 1205(a) (11) of this title, and programs and projects serving areas with high concentrations of persons of limited English-speaking ability pursuant to section 315(b) (4) of this title.

Model programs

(b) The Commissioner, after receiving recommendations from State and local educational agencies and groups and organizations involved in bilingual education, shall establish, publish, and distribute, with respect to programs of bilingual education, suggested models with respect to pupil-teacher ratios, teacher qualifications, and other factors affecting the quality of instruction offered in such programs.

Regulations

(c) In prescribing regulations under this section, the Commissioner shall consult with State and local educational agencies, appropriate organizations representing parents and children of limited English-speaking ability, and appropriate groups and organizations representing teachers and educators involved in bilingual education.

Ms. Swanson. Thank you.

The National Association for Bilingual Education further believes that bilingual education comprises a truly important part of the total educational process in the United States and commits itself to bilingual education as a program of the highest priority.

It is the purpose of the National Association for Bilingual Education:

To promote bilingual education as a logical process by which educational success on the part of the student with linguistically different skills is enhanced through learning in his first language while he/she is learning to function successfully in English.

To encourage the implementation of quality programs of bilingual instruction.

To promote recognition by the total community – parents, teachers, administrators, students and others – of the importance of bilingualism and its contributions toward better understanding among people.

To promote bilingual instruction with the full recognition that the teaching of language skills and the enhancement of conceptual growth is most meaningful and effective when presented in the context of awareness and appreciation of cultural and linguistic differences among people.

As a professional organization which represents individuals who are so intimately involved in bilingual education, we would like to thank you for the opportunity to present to you some of our concerns and recommendations regarding bilingual education programs under Title VII ESEA and Title VII ESAA.

1. We recommend that the term "Limited English-Speaking Children" be changed in the legislation to "Children with linguistically different skills," so as to eliminate the negative implications and deficiency models associated with this term.

We are also concerned that the term "Limited English-Speaking" places undue stress on the speaking ability of children. Language learning is a very complex process. Speaking ability alone is not a sufficient indication of a child's proficiency in that language. Bilingual programs, as all educational programs in this country, strive to prepare students to compete in our society and thus must include development of comprehensive language skills as necessary tools to achieve other kinds of learning.

2. We recommend that the scope of legislation be broadened from a mere emphasis on improvement and development of English skill to a more comprehensive educational process which encompasses overall cognitive and effective development, and which provides an environment which facilitates the mastery of two or more languages (one of which is English).

The present legislation fosters English rather than bilingualism. Once a student demonstates a certain degree of proficiency in English, he no longer qualifies for the program. It is unfortunate that because of a certain cut-off score in English language skills, a bilingual first grader may be considered ineligible for such an educational alternative and thus will most likely never fully develop, or may even lose the bilingual skills possessed at such an early age. The Bilingual Education Act should recognize bilingualism as the vast resource that it is for our country by openly supporting bilingualism.

3. We recomend that the National Bilingual Education Act be expanded to provide eligibility for participation of all children rather than limiting eligibility to children of limited English proficiency.

The reality of the U.S. today needs to be recognized. Our cities are increasingly multicultural and our school enrollment patterns are changing. It is important to broaden the basis for participation in bilingual education to facilitate more sharing and more understanding among students, and to assist the growing number of school districts, not just to cope with multilingual-multiethnic realities, but to utilize them as resources for a better education for all students.

Another reality that we are facing is the effect that desegregation plans are having on bilingual education. We believe that the issue is not so much a conflict in goals as it is the need for resources to expand the program in order to provide more multicultual settings for bilingual education.

Because we believe that bilingual education can help English-proficient children to acquire and become proficient in another language, and because of today's interdependence in the world, we strongly support that bilingual education should be available as an alternative for all American children.

Our country has for too long been arrogant about its language. How many of us speak Arabic, given our present dependency on the oil situation? We have growing Arabic populations in Detroit and other cities who want bilingual education. But should only Arabic-speaking students be involved? Or shouldn't more of us who need to speak Arabic be in those programs?

4. We recommend that the amount of monies appropriated for Title VII be increased so as to reach more students in need of bilingual approaches and methodology. Title VII should move to appropriate funds for bilingual gifted-bilingual special education. In addition, funds should be made available to implement effective programs of bilingual career oriented education and for the development of appropriate curriculum and human resources which will in turn bring about the development of marketable skills in youths and adults.

A growing number of bilingual educators and parents are increasingly concerned with the sheer absence of any kind of special programs for bilingual handicapped children or children with learning disabilities. Although we are no longer seeing as many instances of improper placemnt of bilingual children in special education classses, those that have been properly diagnosed cannot get the necessary services in a monolingual special education class.

There is a great need for expanding our horizon regarding bilingual education at the secondary level. Perhaps because of the great needs at the elementary level, we have done very little for the secondary student. Given the dropout rate and high employment, we need to provide high school bilingual students with marketable skills. A bilingual program that is career-oriented would provide this.

5. We recommend that appropriations for bilingual education be increaed to allow for more equitable distribution of resources and supportive services.

Often in this country we respond to the needs of the more visible and politically sophisticated populations, while ignoring the needs of those individuals whose needs are on a more local basis. For this reason there needs to be a more equitable distribution of resources. We really mean more resources since, obviously, those areas of our country that have such great needs cannot be slighted.

Yet a school district with 12 percent of its students coming from three different language and cultural groups is also in dire need of assistance. More and more rural areas are also exeriencing a need for bilingual education. These area experience additional problems such as more transportation needs, and in some cases, limited resources.

Only by increasing appropriations and providing for their sensitive allocation will groups who are low in the funding ladder be able to compete with other areas that are more sophisticated, have higher numbers of students and more resources.

6. We recommend that substantial money be allocated for research in bilingual education and for dissemination of that research. We also recommend that special graduate level programs or institutes to train bilingual educators in the skills needed to conduct research be established.

The children in bilingual education are varied. The programs themselves are quite varied and quite new. The concept of bilingual education is still not quite understood. Hasty evaluations of bilingual programs fail to account for critical differences in who the children are, what the nature of that program is and in some cases, what the nature of the community is in which that program is set.

We need research on bilingual education so that we can further determine how, when, and what to teach. Different populations require that subject matter and grade levels be taught differently. They require individualized sequences and emphases. There are different cultural values and preferences to be considered. In addition, there is still a dirth of researchers with backgrounds coming from certain ethnic groups or reseachers that fully understand the target group that we are dealing with, as well as the schools and the communities. In light of that, we have not even scratched the surface.

There is a need for a long-term investment in trying to understand the education of children in these multiethnic communities in which bilingual education is one general approach which can be implemented in a variety of ways.

7. We recommend that the attached document entitled "Proposed Revisions to the Bilingual Education Act" be given serious consideration for implementation.

During our Association's Sixth Annual International Bilingual Bicultural Education Conference, the Legislative Workshop developed the attached document entitled "Proposed Revisions to the Bilingual Education Act" which was endorsed by the general membership. The proposed revisions reflect many of the concerns that have been expressed in the preceding pages, especially the need to consider bilingualism an asset, to view bilingual education as a means of attaining each student's fullest potential - personal, societal, linguistic and cultural - and to provide for voluntary enrollment of all individuals.

We appreciate the opportunity to present our views. It is only through mutual cooperation that we will continue to strengthen bilingual education as an effective educational approach which will become an integral part of our total educational system.

Mr. **Corrada**. Thank you very much, Ms. Swanson.

Now we will hear from Mr. Gary Orfield, Department of Political Science, University of Illinois at Urbana.

STATEMENT OF GARY ORFIELD, DEPARTMENT OF POLITICAL SCIENCE, UNIVERSITY OF ILLINOIS AT URBANA

Mr. **Orfield**. Mr. Chairman and members of the committee, it is an honor for me to testify before your committee today.

I have recently completed a book on urban school desegregation and the research over the last several years has carried me into many policy issues before the committee. Since today's hearing is on bilingual education, I will speak primarily on that issue today and also make some brief comments, since I cannot come again, about changes I think are needed in the Emergency School Aid Program.

I come before this committee as an admirer of its work, but also as one who believes that some important improvements are needed in the programs now under review.

I have recently completed several years of study of segregation and desegregation in our urban school systems. The research has carried me deeply into a number of the policy issues now before the committee. Since today's hearing is on bilingual education, I will speak to that issue first and then offer brief comments about needed changes in the Emergency School Aid program and in Title I.

Bilingual-bicultural education seems perfectly sensible on its face. As Congress recognized in the 1968 Bilingual Education Act and the Supreme Court recognized in the 1974 Lau decision, something must be done to help millions of children who come to school from non-English speaking homes. The idea of beginning instruction in a child's own language in an environment that respects his culture has great appeal. When I first studied the issue I strongly supported it.

The more I read the research on bilingual education, however, and the closer I examined the way the program was being implemented, the more disturbed I became. As now operated, I belive the grants often provide for expensive, highly segregated programs of no proven educational value to children. Worse, I believe there is sometimes a tendency to train children who do not need the program and may be hurt by it. Some programs pursue not successful integration in American society but deeper cultural and linguistic identity and separation. Without any national debate and without any clear authorization from Congress, we seem to have passed, in a generation, from a harsh and destructive assimilationist policy to a policy of linguistic separation. I believe Congress should reject each of these extremes and should search for ways to encourage successful integration of Hispanic children into American society in a way that shows respect of the great cultural traditions they represent and encourages study of Spanish in our schools.

Congress began support of bilingual programs without any significant proof that they would work. The history of research on bilingualism is full of ambiguous findings and careless methods. The Canadian experiments often cited as proof that the method works were based on placing predominantly middle-class English-speaking children in a totally French educational setting and then measuring the impact. This research has been cited as justification for a completely different policy of keeping lower-income Hispanic children in an all Spanish-speaking environment when they begin school. There is nothing in the research to suggest that children can effectively learn English without continuous interaction with ther children who are native English speakers, yet the Federal money has supported programs with only about one-tenth Anglos in the average class. In a society where Spanish-surname children are now more segregated than blacks, according to some measures, and where the Supreme Court has found such segregation unconstitutional, a program that tends to increase separation, raises very serious questions. In a number of cities, officials in bilingual programs have attacked desegregation orders and asked that Hispanic schools be exempted for educational reasons.

After eight years of experience, we have only recently received the first national evaluations of bilingual programs. Both the 1975 exemplary programs study and the 1977 evaluation study by the American Institutes for Research raise basic questions. In the first place, they show that there is a great uncertainty about what a bilingual-bicultural program is supposed to be and very little careful local assessment of whether or not the existing programs are doing any good. In the second place, the new evaluation study finds no net gains at all in English reading or English vocabulary for children enrolled in Title VII programs across the country. In fact, it reports a rather consistent pattern of losses in spite of the fact that 37 percent more money was required to educate the average Title VII child. The only significant educational gains appeared to come in mathematics, if math ability of Spanish dominanty children was measured with Spanish language questions. (There are real questions, however, about whether it is wise to teach math in Spanish; will a child be able to later apply the concepts he learned in a Spanish context to problems that arise in an English language work or study situation.)

As I read congressional debates on bilingualism, it seems clear to me that Congress wished to help the child who could not speak English. The idea was to find a more humane and effective way to help him make the transition to the normal English curriculum. The most distirbuing part of the recent research is the evidence that the program is primarily serving Hispanic children who are already ready to work in English-language classrooms. "Generally," AIR reports, "less than a third of the students in the bilingual classrooms were there because of their limited English-speaking ability" Eighty-six pecent of the projects follow a policy of retaining a child able to function in an English classroom in a bilingual program and only one project in 20 transfers the child to an all-English setting. I believe that Congress must specify very explicitly that funds should be concentrated on children who cannot function in regular classes.

I do not believe that the negative research findings on the existing bilingual programs should lead to an abandonment of the effort. Anyone who has read much evaluation research realizes that very few educational programs produce dramatic gains. It may be that when the conditions and limits of bilingual programs become clearer and when better impact measures are devised, research results will improve. I would recommend, however, that both Congress and administrative agencies avoid any premature conclusion that bilingualism is the correct basic approach. I would recommend that Congress broaden its legislation to support carefully controlled experiments with different methods of bilingualism, with immersion programs, with integration with a pluralistic curriculum, with teacher and principal training to better respond to the needs of non-English-speaking children, and other methods. Congress could direct the National Institute of Education to conduct a multiyear comparative evaluation. My guess is that we would find out that various methods are more effective for particular groups of children in particular settings.

At the same time this research goes on, there are another set of problems we should begin to think about. In a society where a twelfth of the children being born are Hispanic there is a need to increase the Spanish competence of the entire population. We need to help the schools do a better job of teaching white and black children about the history and culture of this very important and rapidly growing third group. Perhaps some of the funds now used dubiously for maintenance programs for Hispanic children could be used to increase the elective Spanish language and literature programs aimed at all population groups at all levels of school. At the same time there is a great need for a massive effort for English instruction for adults beyond school age whose opportunities will be drastically curtailed unless they can work in an English-language setting. It might be valuable, for example, to fund evening English instruction on television and radio in cities with concentrations of Hispanics and other non-English-speaking groups.

When the bilingual education title is revised I would strongly recommend that Congress require integrated bilingual student bodies wherever possible and assign high priority to language training and curriculum development programs supporting desegregation plans. Cities like Los Angeles, which face desegregation with very large Hispanic enrollments, need this kind of support. The administration of the existing programs has too often created unnecessary tensions between bilingualism and constitutional requirements.

Until there is better evidence that we know how to operate bilingual or other programs that will actually help children, I believe that Congress should require parent consent before a child is enrolled outside the normal curriculum. Congress should not underwrite involuntary programs that might further damage the life changes of minority children who need help.

I think that the Bilingual Education Act did a good job in focusing national attention on the needs of a major group of students who have often been invisible to national policy makers. It has stimulated the training of many talented Hispanic educators. It has not yet, however, produced satisfactory answers. It needs significant modification if it is to facilitate the search.

The Emergency School Program

The emergency school program has been the only significant action by Congress in this decade in support of successful school integration. The bitter national controversy over busing, however, meant that it was flawed in basic design and severely inadequate in operation. Over the years inflation has severely cut the funding of what was always a relatively small program and there is now far less money than is needed to produce good desegregation plans in the big cities of the North and West which face court orders. I would recommend the following changes:

1. Division of the program into planning and transitional grants and educational program grants.

a. Planning and transitional grants should provide funds, beginning when a district is sued or cited by a State agency or HEW, to carefully consider alternatives, study experiences in other cities, employ experts, organize community consultations, and draw up a good plan. The transitional money should pay for one-time expenses directly related to the plan -- moving desks and books, purchasing buses, organizing special police protection for the first weeks, etcetera. The need to take such funds out of a normal school budget is one of the most difficult problems for school administrators.

b. Educational program funds should be granted for a multi-year period when the Commissioner of Education, the Office for Civil Rights, and the State Copmmissioner of Education conclude that a district has a good staff training and curriculum development program and a good approach to community involvement, all of which are intended to turn a desegregated school system into a genuinely integrated one.

2. Funds for ghetto improvement programs should be transfertred from the ESAA and added to big city Title I entitlements. The small amounts of money involved tend to get lost in big city budgets and spent carelessly.

3. Restore special set-aside for voluntary metropolitan integration.

4. Fund magnet schools when part of overall desegregation plan.

5. Fund only those community groups which can demonstrate expertise in integration problems and propose projects directly related to process.

6. Eliminate anti-busing language here and throughout legislation.

7. An immediate doubling of funds.

Title I Program

One of the great ironies of urban desegregation is that Title I, a program intended to help poor and minority children, often poses an obstacle to desegregation planning. Since the program is designed to help large concentrations of poor children in a limited number of target schools, real difficulties arise when implementation of a city-wide desegregation plan scatters the target children and interrupts previous compensatory programs. Neither the option of identifying a new group of target schools and ending services to many who earlier received help nor the choice of scattering small amounts of money through a follow-the-child formula, seems to be equitable. The first is unfair to the individual; the second is extraordinarily difficult to effectively administer.

I believe that Congress should recognize that the existing Title I model is not appropriate to a well-integrated urban system. The educational problem is no longer one of concentrations of children with multiple problems, but the development of a district-wide plan to help children, of whatever race or income level, deal with problems in particular skills within integrated classrooms. In such circumstances, and where a district designs an approved educational plan of the kind discussed in my comments on the emergency school program, a district should be released from normal Title I requirements and given broad discretion to concentrate both Title I and ESAA funds on the program's basic goals. In an effectively desegregated system,. educational problems cannot be defined by pointing to buildings. They must be defined in strictly educational terms and the administrators must be authorized to use the funds to attack them in an integrated setting.

Mr. CORRADA. Thank you very much for your testimony.

Now we have some questions, Mr. Valdez, I would like to ask you. In your testimony you make reference to the study conducted by the American Institutes for Research. Would you summarize for us your views on findings on the quality of that study.

Mr. VALDEZ. If it is all right with the committee, Mr. Michael Cortes, who is the legislative analyst for the National Council that did the critique on the study, I think could answer all the technical questions on the study.

Mr. CORRADA. Surely.

Mr. CORTES. Thank you, Mr. Chairman. The study, as I guess you know, is really quite thick. I have not been through it cover-to-cover yet. What work I have done on it has given me ample reason to be concerned. I do not want to get bogged down in a variety of technical arguments. It is very clear that the control group is unlikely to be equivalent to the Title VII control group, and that is perhaps a seemingly technical issue that gets at the heart of the findings.

It is impossible to compare the progress of Title VII children with children in the mainstream program in order to assess the impact of Title VII if the mainstream program children are not comparable in their background, their abilities, and the kinds of problems they bring to the educational setting.

AIR did not select their own control group. Rather, they left it in the hands of each of the individual school districts to decide what was a roughly similar, to use their language, grouping of students with which to compare the Title VII children. The children were not matched individually for background and ability and data that could have allowed them to use other analyses using a multivarient model simply was not collected.

AIR did attempt to establish some equivalency between these two groups with some rather crude techniques. They compared the progress of children within the same ethnic group, which was a start. They did compare the progress of children within the same grade level, which is also a start. They purported to try to control socioeconomic status. However, they developed their own measure, which has a 7-point scale that essentially gave a rough breakdown of occupational and educational level of the parents without doing that in a way that really allowed them to establish true equivalency.

The most serious defect in their attempt to establish equivalency was their failure to control for language proficiency of the children. Ninety-three percent of all the Spanish model children in the study were enrolled in Title VII, the remaining seven percent were in the control group. It seems to me fantastic AIR would want to argue that the two groups were equivalent when practically all of the bilinguals were in Title VII. Title VII was at a terrific disadvantage in that respect.

Furthermore, the control group included a lot of children who had enrolled in Title VII in the past. In other words, children in the mainstream program had alrady experienced some benefits from Title VII. Thirty-one percent, according to the appendices of this report, of the children in the control group had been Title VII enrollees at some time, some of them for up to four years. This is indicative of my principal criticism of the report, which is that it is sloppy.

That kind of procedural sloppiness is borne out also in such practices of finding that missing data was impeding their analysis, so they made some assumptions about the nature of that data missing, plugged it into the analysis, and continued the analysis without checking to see whether their assumptions were correct.

For example, approximately one-third of the entire sample in which socioeconomic data was collected did not answer the questions on socioeconomic status. AIR, instead of investigating the causes of nonresponse, instead of looking into the possibility maybe they were the lower strata that refused to answer the questions, just assumed that the missing data would be on about the average the same as the data they did collect. Then they used that data, one-third of which was built on assumptions, to try to control for socioeconomic differences between the Title VII group and the control group.

It is a sloppy way to do reseach and it is certainly not the kind of research or procedural integrity that one would want to use for reaching policy decisions about such very important issues as bilingual education.

Mr. CORRADA. Thank you.

Mr. Valdez, given the fact that the Federal education laws prohibit Federal control of education and that local control in the U.S. educational system is preeminent, what aspects of the 1975 State law would you feel could be considered by our own committee in revising the present bilingual education program?

Mr. VALDEZ. As a matter of fact, I have attached to the back of my testimony some proposed amendments to the national act. We have the same thing in the Colorado Constitution allowing the local school district to have control over the curriculum in the education of the children. But the State is now funding about 48 percent of the local programs, and therefore the State legislators are saying if we are going to be paying we are going to have a say.

The way we have had a say is through a statewide steering committee, representatives from each of the congressional district plus legislators in the original committee.

That was written into the act, but over and above that, the most important are the parent committees on the local level. The parents of children in the act that are in bilingual-bicultural education, we have used the language in the State statute. The parent committee or the local education board in cooperation with the local committee will define these different matters that pertain to the education of the children. That is one of the recommendations that we have for the national act. In those places where Title VII monies are to be funded, that there be a parent committee locally elected by parents of children in the program to have input into the local school district and all the way up.

We found this is probably the most beneficial aspect,not only in terms of getting parents involved in the education of their children but also to give input to the local school boards and to the people in the State education offices, the people in the regional HEW offices, and so forth.

I think they are getting sometimes even more parent input than they had hoped for, but it is all very healthy and I think it is essential that parents be involved in the education of their children. We feel that is the key to it. We also propose the same definition for linquistically different skills. I think that probably came out of the Colorado act and was presented at the national conference in New Orleans. We think this definition is very positive interms of defining. It is a definition that everyone understands and it is not a negative definition.

We have also included that as part of the changes that we recommend on the national legislation.

Of course, probably the most controversial recommendation that we are making in terms of the national legislation is to make it bilingual and bicultural education. We found that to be very important in the State law we passed in 1975. Bicultural may be more important than bilingual in certain parts of the States. We have children who are not proficient in either language. Now we are finding with the bicultural programs the children are coming to schools they can identify with. They read the history of the people with the last names who made contributions to this country. Their parents feel more at ease because they see things they can identify with, so it s working very well and we are also recommending tht it become a bilingual and a bicultural bill.

Mr. Corrada. It is our understanding that there are certain bills which have been introduced in the Colorado House and Senate to limit bilingual education programs. The House bill apparently would make bilingual education programs voluntary and the Senate bill would apparently replace existing bilingual programs with limited tutoring programs. Could you give us some background on these bills and tell us what effects you think they would have on States' programs?

Mr. VALDEZ. There were two versions, as you have very adequately described. Ours is a mandated program. Let me talk about the act that passed. I introduced the act that passed in the House, which is the act that passed. The tutorial program was attached to that, so we have both concepts in the bill. Let me explain those.

One, our act mandates participation from schools. If they have 50 children or 10 percent of that school that has linguistically different children – and these are identified by census and a team of teacher and parent and administrator that make the determination on these children, so it is mandatory in that sense. The school has to submit a plan to the State education committee. Then there is a determination made by the State board of education whether they get funded or not, depending on funds available.

Where the act is permissive is a recommendation I heard from one of the panel members earlier, and that is that it is permissive in terms of the parents. No child will be involved in the Colorado bilingual program until they have prior written permission from their parents. It is a controversial program, and we have a lot of parents that feel they had a lot of difficulty growing up speaking Spanish and they would prefer to have their child learn English only. We feel that ought to be the parent's option. However, there are a lot of parents who feel there is a great need for bilingual-bicultural education.

Those are the two aspects of the House act as it passed that puts that on the mandatory basis for a school district, but voluntary for the parents.

The Senate version wanted it limited strictly to monolinguals and sort of a tutorial program. That was adopted by the House to deal strictly with those children that perhaps come in from Mexico who reside in the State of Colorado that have a different kind of need in that particular area. We address that need with the tutorial portion.

So, to answer your question, both the House version and the Senate version were incorporated, but, of course, the House version is the dominant and applies to 98 percent of the kids in the program.

Mr. CORRADA. Thank you.

Ms. Swanson, for the last two days we have received testimony on the recent Office of Education evaluation of the program. This study contains less than one-third of the students in the programs who are placed there because of limited English-speaking ability and that students in the programs do not show improved reading gains in English or Spanish. Do you have any comments on that report?

Ms. SWANSON. Yes.

Mr. CORRADA. I would like to recognize the presence here today of Dr. Molina, the Director of the Office of Bilingual Education, who is listening, we hope.

Ms. SWANSON. The determnation of the English-speaking ability of the students in the bilingual program is one of our major concerns as educators. I have not read the entire report, so I do not know exactly what procedures were used to determine the language ability of the students in the bilingual programs that they examined. I really believe that our assessment methods for determining language ability are not adequate. All of us in bilingual education are facing that within our classes, within our programs.

This is my reaction to that particular report, that my answer is – and it is representative of our association – I would feel I would like to caution that any kind of statement that says that one-third of the children in the program are the only ones that are of limited English-speaking ability, based on whatever methods they used to determine this, should be really looked at carefully.

Mr. CORRADA. Thank you.

In your testimony, Ms. Swanson, you speak to the need of expanding bilingual education to reach far greater numbers of children than are presently being served. Am I correct in assuming that you feel that bilingual education should move away from being strictly a demonstration program and move closer to becoming a service program?

Ms. SWANSON. I get very confused with the terms demonstration versus service. I feel that certain modes, for example, could very well be considered demonstration programs including additional children than the models we have now.

I believe very strongly that bilingual education needs to be supported perhaps as a demonstration program. Perhaps we should continue some demonstration programs because I do not think we have identified more than a small number of models. I think alternative models need to be experimented with on a demonstration basis.

As far as service programs, at this point I am not prepared to give the opinion of our association, and I would have to speak on a personal basis. I think that if a service program is considered, it is very important that the guidelines, the determination of what students are to be included and how the programs are to be implemented need to be carefully determined. I have heard a great deal of negative talk about service programs because they feel that these would be merely replications of some of the service programs we have now which could not really be implemented correctly or have slighted the Hispanic or the limited English-speaking, to use that term which I do not like to use, throughout our major cities.

So I am afraid that if a service program were to be set up, it would have to be very carefully designed to be sure that the goals of our bilingual education program are met.

Mr. CORRADA. Mr. McGuire, as Vice President of the National Education Association, how do you view bilingual education? Do you view it essentially as a method of precision so that students who are poor in their knowledge of English would become acquainted with English and be integrated into an essentially English teaching system, or do you view it as something that would be more than that?

Mr. MCGUIRE. A short answer would be something more than that. Certainly as a base line we have to take care of the needs of children who, if they were coming into a school system that was totally dominant English with no instruction in a second tongue and would be badly handicapped by that, that, of course, would be a first priority. But we must have a program, we believe – and our members believe through resolution – that addresses the needs of those students who are deficient in English – understanding, comprehension, reading, and writing.

I agree with them in terms of the semantics that have to be used to describe that in order not to give the wrong self-concept to begin with. But additionally we find some of the things that are difficult to measure in research, such things as self-concept, whch I believe nearly every teacher would subscribe to, that a person's feeling of self-worth, their self-concept has a great bearing on their education achievement and their achievement in society as a whole.

Unless we can have a bicultural program going along with it so they can be proud of their second language, be proud of the achievements of their heritage, then that person is going to have an inferiority, a low self-concept that will reflect in their education and will reflect in the other matters as well. So we do see it as a broad program, both taking care of language needs and cultural needs.

The studies that have been dealt with have not dealt with such problems as self-concept, which is difficult to measure, but they also have not dealt with the concept of even attendance and dropout, which are some very visible signs of self-concept. People with a good feeling about themselves are more likely to remain in school, much more likely to have a good attendance record. Things of that sort could have been addressed very objectively by the studies that we are talking about, and they have not been.

Even such things as oral English testing could be included as to improvement of that. There are validated ways of testing that.

While we are concerned that programs be strong programs and that they meet criteria that are set up, we believe that criteria needs to be looked at closely and that they should service the broad number of students that need this kind of attention.

Mr. CORRADA. The gentleman from Hawaii, Mr. Heftel, has to leave and has asked to address some questions to the witness, so I yield to Mr. Heftel.

Mr. HEFTEL. Thank you, Mr. Chairman.

I have a question which perhaps Mr. Orfield would most easily answer, but I think all of us have to be concerned with it and have views on it.

There is a "perhaps first things first" concept in our learning process in the United States, in the school systems, as I have percived them. Particularly in Hawaii, where we are dealing with a multitude of languages, it is not as simple as describing English and Spanish. I am speaking of immigrants speaking Japanese only; I am speaking of Samoans, Fijians, Filipinos. The perception that I have had is that those students have a serious problem until they are first taught to read and write with reasonable proficiency in English, because even in our multiracial Hawaii almost everything evolves around the use of English.

I am not saying this is good or bad; I am just saying that this is the way it is.

Are we missing a prime objective, accepting the fact we have, for whatever the obvious reasons, so many dollars of budget available?

Do we have a mandate which says we must provide a methodology, an instruction of English to those students who come to us who do not have such a capacity? Do we have to deal with this as a first priority and lose sight of the fact that a problem continues because along the way we started to do other desirable things but did not first finish the basic necessary structure in the same sense that you do your foundation for a building, very precisely and with absolutely no compromise, because of what could happen otherwise?

Is that one of the things tht is happening to us in the bilingual programs where we have not adequately met the challenge of effectively teaching the English language to those students who must have that capacity, who are then going to move into the area of self-appreciation, cultural awareness, and all the things we must be concerned with?

Mr. Orfield.

Mr. **Orfield**. When I read the research and the testimony in this area, almost everybody who supports bilingual-bicultural education believes children have to learn to speak English. There is no evidence to show, to my mind , as yet that we know how to do it better through bilingual-bicultural than we do through the old method, which was to do nothing.

There is no evidence that the old method works very well either. I think we need a lot more wide ranging search for some good methods to teach English effectively to the children because the children who are in the bilingual programs do poorly and those who are not in the bilingual programs do almost as poorly.

My feeling is we should not close the search and broaden it. It requires more experimental work to do this.

Mr. **Heftel**. Just one other comment before you respond. One program in Hawaii responsible primarily for the——

Mr. **Corrada**. Just a second. I have to leave now and I would like to ask the distinguished gentleman from Michigan, Mr. Kildee, if he would assume the chair.

Mr. **Heftel**. The children with the assistance of volunteer instructors within the system develop self-appreciation programs for their own cultures. I have attended their programs and it is apparent this need exists. It is also apparent that it is done best when the awareness and the participation of the children has been achieved through the manner in which the program is developed. It is obvious that those children who did not have the language skill were handicapped and will continue to fight that handicap as long as we do not teach them the effective use of English.

Mr. **McGuire**. I would agree that the ability to speak, to write English, is very important. I think there are two things I would like to say in response. One, in determining those students where English was dominant, the research showed a great deal of problem with whether the children should be in this.

I think we have to work to be sure that those students who have different linguistic skills are in the program, but I think the key to this is the sensitivity with which we built their English proficiency. If the sensitivity of the community is you must learn English because that is the best way, that is a very bad influence on their self-concept. So the sensitivity issue and the bicultural issue comes in so that as children come in, it must not be done at the expense of their own culture and their own language and their own feeling, because for them to become highly proficient in English and able to cope with almost any circumstance there but not to feel good about themselves because somehow "I have the wrong surname or somehow I have the wrong native tongue and the wrong native heritage," – that is with them the rest of their lives.

So I believe that foreign language instruction in our own secondary schools, it is most common the people learn the culture as well as the second language, because if they do not there is a gap that cannot be filled, so that sensitivity is something I would like to have added to the thinking that the way you teach English is extremely important.

Mr. **Heftel**. We have to recess. I think you are saying you would like those who teach English to these students to have the cultural sensitivity and awareness to go with it.

Mr. **McGuire**. It is absolutely essential, I believe.

Mr. **Kildee**. The bells indicate that we are needed in the House Chamber, therefore, the committee will recess for 15 minutes. Please wait as we will have more questions for you upon our return.

Mr. **Simon**. We will call the meeting back to order.,

I want to apologize, particularly to Ms. Swanson, who is a witness at my request.

Interestingly enough, I was at a meeting at the White House where the Illinois, Texas, Arkansas and one other State delegation, Missouri, met with the President. Then I stayed and chatted very briefly with the President afterwards. We got into this very area of bilingual education and what can be done to promote greater language facility within the United States.

One of the questions I note as I glance through the testimony that has been covered by some of you is the question as to how, as we teach a child English, we can encourage retaining the native tongue, also.

Mr. McGuire talks about some priority being given to expansion of preschool bilingual programs.

Do you have anything specific in mind?

Mr. **McGuire**. Basically, linguistic skills begin at birth. In those very early years, they are developed very rapidly. The patterns developed during those years are patterns retained by the child throughout his own life. The matter of preschool education is a matter of concern throughout the country. When it comes to language, it becomes a situation where a child can become exposed to English—and again I would like to mention in a sensitive way—so that by the time the child reaches kindergarten and first grade, he will have achieved more English proficiency than otherwise.

We were merely speaking to the point that those are critical years. We would like to have a look taken at the advisability of the inclusion of bilingual programs which exist or that the Congress might be funding or working on.

Mr. **Simon**. Ms. Swanson, I was very interested in reading your testimony. Your statement tends to indicate our country has far too long been arrogant about its language. That may sound harsh. I think it is not consciously arrogant.

You ask, should only Arabic-speaking students be involved or should not more of us who need to speak Arabic be in those programs?

I gather from what you are saying that you think the law should be changed so this can be a two-way street.

Ms. SWANSON. I feel that very strongly. Also, I feel the Association of Bilingual Education feels very strongly that we need to include more children or more students in bilingual education programs; and that these students or that the program should be open more to the English-speaking student. So this would be not only a vehicle for the student to learn more about the various ethnic groups which we are co-existing with within our country, but also to increase the resources to that individual by learning another language and learning about other cultures.

Mr. SIMON. In fact, if that doesn't take place we are fostering a form of segregation.

Ms. SWANSON. I believe, also, we are not fostering bilingualism. The bilingual program, which is another point, is not a bilingual program. It uses bilingualism as a means to only one language rather than two.

Mr. SIMON. I would be interested in your association—I was going to say interested in your specific proposals, but you have them attached to your testimony.

I wonder if the other witnesses would care to comment on Ms. Swanson's statement? Do you agree or disagree?

Mr. ORFIELD. I think you have targeted a very important issue; that most of these classes under Title VII are linguistically segregated now. They should be integrated if they are really going to be bilingual. There is not much reinforcement for the English the child learns in the class if the whole class is Hispanic or Chinese.

Sometimes the way the programs are run now they run crosscurrents with regulations as to school integration. I think they would work much better if they were integrated internally.

Ms. SWANSON. We favor expansion of the act and, certainly, the involvement of students not linguistically different would add to all the things we have said in terms of the feelings of self-concept, the feeling of importance they have, to know other people want to learn about our heritage as we are learing about theirs. The Association policy in this and other areas has been to increase sensitivity and understanding among individuals and groups that are linguistic.

Mr. VALDEZ. When we wrote the Colorado Act for bilingual-bicultural legislation, the intent of the language, it calls for a mixture of students so we would not have segregated programs. It is working very well and we think it very necessary that the programs be integrated. We think children learn sometimes faster from each other than from a teacher.

One of the problems we have—it is a pleasant problem if it is—is that there are a lot of Anglo parents who want their children enrolled. We have to keep the enrollment down to 50-50. We find that pretty encouraging. Some of the biggest supporters of the Colorado Act are Anglo.

Mr. SIMON. What is the percentage of Anglo children?

Mr. **Valdez**. Being an educator and not having had that much experience in the classroom, I can only go from testimony I have heard from educators. They have told me it amounts to 45 percent Anglo students and sometimes 50-50. You could probably find that situation.

Mr. **Simon**. Does the other gentleman care to make any comment?

Mr. **Cortez**. No.

Mr. **Simon**. Mr. Kildee.

Mr. **Kildee**. In the State legislature in Michigan, I was Chairman of the Conference Committee when we passed the Bilingual Education Act.

In Flint, Michigan, at Washington Elementary School the bilingual classes are open to those whose language is predominantly or solely English. The experience there has been that one group does tend to help the other. It is a very attractive class and any possible stigma some of the community may have worried about has been diminished by the fact that you have both groups.

Would you care to comment on that?

Ms. **Swanson**. We have an increasing number of multicultural, multilingual programs in the State of Illinois, as you also have in Michigan.

One of the exciting things that I, as a person from Illinois, have seen at the Martin Luther King School, has been a program in which all the students in that school participate. It is a multilingual and multicultural program. Every child in that school studies a language. The school is all mixed. They have individualized activities, group activities, but everybody learns about the different cultures. There are 14 different ethnic groups and cultures represented.

You walk into the school and you see American children who know a great deal more about the world than many of our college graduates who we run across. Some of the teachers have learned a great deal in this program.

What the program stresses is that it is important to learn about other cultures. Then they zero in on one language as the language they are going to study. All the children, English-speaking as well, have an opportunity to learn Arabic, French, Hindi, Chinese, Spanish, et cetera.

The other children from other cultures are also, of course, learning English. That is the main program. But many of them are also interested in learning other languages as well. You might have a student French-speaking who might also want to learn some Spanish. There is a very sophisticated group of children from first grade to sixth grade in this school. It is a positive thing and something we have, unfortunately, not been able to do because of the restrictions of the legislation.

Mr. **Kildee**. Is that a magnet school?

Ms. **Swanson**. It was not originally, but it is open enrollment.

Mr. **Kildee**. I lived in Pakistan for a while. My bearer was trilingual; he spoke three languages; Urdu, Pushtu and English, yet he was illiterate. He could neither read nor write in any of them.

In determining who is biliterate, is there a distinction between bilingualism and biliteracy? Also, once in the program, is there a distinction made?

I have run across a lot of people very literate in one language but not so in another. Is that distinction made in the program?

Mr. SIMON. If the chair might supplement that question, someone in their testimony pointed out the term "English-speaking" is not an ideal phrase.

Ms. SWANSON. In our testimony, we objected to the word "English-speaking" as a determination of whether a student is ready to move out of a program because he can speak in English because there are other skills, as you point out, not just that but also comprehension skills. Speaking, reading, writing, but also actual understanding ability to use a language in the context of learning, ability to understand concepts. We tend to be very superficial as to English ability, the language itself; and not really trying to see whether that student can, in fact, understand by means of English.

But now to the question of biliteracy as something we need to consider. I think when we are talking about bilingual, we normally think of speaking ability because we are dealing with young children who have not been through the educational system and so haven't developed literacy skills. What happens, the student, once he enters the program, should learn literacy skills not only in his language but in English. If he has not been in a bilingual program he may be fluent in the mother tongue but not developed the literacy skills.

One of the hardest things to do is learn a foreign language. All of us have studied foreign languages—well, most of us, although I know a lot haven't. But it takes a long time to acquire both the speaking and writing skills. When we have already a resource as a young child who already speaks two languages, it seems to me, we are wasting a great resource that we have there. We should try to build on it and make him literate, not in just one language, but two.

I don't know whether I answered your question or not.

Mr. KILDEE. Very often some of the school officials, under the fiscal crunch, will say these children are bilingual but they don't understand that they are not biliterate. They can be very bilingual on the playground or in their neighborhood but are perhaps not able to be literate in one or both of the languages as they ordinarily would or should be.

One of the reasons those who might be in need of bilingual education is because they are not able to do well in the other subjects. They are not able to read well in the other language although they can speak it well on the playground.

The most bilingual people, as a group that I know of, are those working on an assembly line in a General Motors factory.

Mr. SIMON. Mr. Cross has some questions.

Mr. CROSS. In the last few days there has been a great deal of criticism of that report put out by AIR. Would it be possible for AIR to submit its response to the critiques given in the past few days, so that we will have a more balanced record?

Mr. SIMON. The record will remain open for another two weeks or so. If any of you wish to submit answers to any questions asked, or information for the record in response to questions asked that will be welcomed. (See Appendix 9)

Mr. **Cross**. Ms. Swanson, you have talked about expanding your program by changing the definition to those with different linguistic skills. If the law were changed along the lines you propose, what would happen to the priorities of the children who have the real deficiency in English language ability?

Where is the priority? Should we be trying to reach a greater number of those with limited ability or expanding the program to everyone?

Ms. **Swanson**. The priority would be with those students as far as giving them the skills needed to succeed in our society. I think that by even expanding the eligibility requirements we open it to all students, but I am also insisting that those students who are identified as really needing it should be given first priority. I see this as a possibility to support bilingualism as something which is desirable. I think if a school system which has a bilingual program which involves other students and sees this as an educational model or process which is good for the entire education of the students, then I think a lot of local commitment and support may be generated by establishing this kind of a program.

As you know, right now there are many States that are following the leadership of the Federal government in establishing bilingual education. Unfortunately, many of these States, including our State, are following very closely the guideline which the program is designed only for those of limited English proficiency and once a student gains that proficiency the student is no longer eligible for the program.

I think by changing the Federal law, it will create equal changes in other State programs and will increase the support for that type of bilingual education which I see as being a great positive step to helping not just all the students, but also the students we have identified as being the most needy because they see the school system values bilingualism and bilingual education.

Mr. **Cross**. Would you favor a change in the law requiring that Federal funds be phased out so that local community participation would be assured and the program wouldn't terminate after a certain period of time because of the termination of Federal dollars?

Ms. **Swanson**. I don't know. I don't think in my position,at this point, I would support that funding be phased out. I think we all are aware that education and educational changes are implemented more at the local level and we do need to effect changes in those schools. They will eventually take on the bilingual education or any program we feel is important. I think my comments would be, whatever means we can utilize to see that this program is successful and is implementable should be used.

I think someone here has a lot more knowledge as to funding patterns.

Mr. **Valdez**. First of all, I would encourage additional funds from the Federal government, although I think it is crucial the local governments make a contribution. I think it would lead to the success of the program if there is some initial investment in there. I think that is one of the reasons we were able to persuade a very fiscally conservative legislature to appropriate over a million dollars for a program they did not want. The persuasion was strictly on a fiscal basis.

If you look at the billions of dollars the Federal government is pouring into education, which are being wasted; and if you look at the money being poured into bandaid programs for drop-outs; the penal institutions or people on welfare; the amount of money you are investing in the education of a child is minimal.

You have to look at this as a long-range problem. Colorado calls for no deficit spending. We have to be very careful of every dollar we spend. When we make a commitment to a program such as this, the legislature has to be sure there will be a return on its investment.

We are convinced, and so are the majority of Senators and Representatives in the State of Colorado, that the money being invested there is a good fiscal investment and the increasing portion from the Federal government ought to be forthcoming. Colorado, for instance, has 81 school districts which would qualify for the Title VII; only 14 are served. At this time we are supplementing a lot of the others with our own local dollars. My recommendation would be to increase the funding.

Mr. **Cross**. Ms. Swanson, you indicate non-urban children are not getting a fair shake of the act, is that right?

Ms. **Swanson**. Yes.

Mr. **Cross**. I am confused by the green and white sheets attached to your testimony.

Ms. **Swanson**. On the green sheets I only address the changes. The numbers refer to the segments of the law we want changed. Those where we don't want any changes made, should stay as they are.

Mr. **Cross**. Mr. McGuire, in your statement, you use the word "multicultural." Would you be in favor of amending Title VII, of making it multicultural rather than bicultural?

Mr. **McGuire**. Yes. We believe in the multicultural approach. This, of course, is not rejection of bicultural where this is within the program. But we believe there has to be a multicultural understanding and sensitivity among the students and eventually the whole population.

Mr. **Cross**. As you know, the Title VII law has two components as to training in service, 15 percent set aside, then a third, 70 million plus 17 million. Do you think that is a proper balance? Do you think we need to look at changing the law to favor one component more than another? What are your feelings as to whether the law is correctly balanced as to pre-service or in-service training?

Mr. **McGuire**. We believe in-service training is of great necessity in this and other programs because the number of new persons coming into the profession is not nearly as great as the number of persons who are currently in and will remain in the program for a number of years. There has to be emphasis in both areas but in-service training has been of great interest to us. It must be virtually taken into account in all federal programs, as I said in my opening statement, but I am now speaking more specifically to bilingual and bicultural education.

Mr. **Cross**. You do recommend on page 6 some mandatory involvement of teachers. Would you also favor giving parents an option?

Mr. **McGuire**. You mean in or out?

Mr. **Cross**. Not only in or out, but the kind of program.

Mr. **McGuire**. I think parental involvement is essential to the success of the program as is, I think, parental involvement as to selecting programs. I believe you are talking about if there are some models out there that there be a parental advisory group or parents getting an input as to the kind of program they want. We believe very much that parents should be involved. That kind of support also rubs off in terms of the way the children feel about the program in the community.

Mr. **Cross**. One final question: On page 6, you list some criteria to be used in reauthorizing Title VII. Could you specifically supply for the record suggestions as to what statutory requirements should be revoked and what regulations should be dropped to make the paperwork less burdensome?

Mr. **McGuire**. Yes, we have many concerns and suggestions and ideas we would like to submit for the record and would also like to testify when those decisions are made at a later time as to our whole approach as to Federal aid. We can provide for the record that information.

[Information requested never supplied:]

Mr. **Cross**. Mr. Orfield, on page 4 of your statement you speak of expanding Title VII to adults. I am not sure I understand.

Mr. **Orfield**. I don't know just what legislative vehicle you want to do this through, but one of the things that struck me as I watched this issue developing, there are large groups of adults coming into the country in immigration, both legal and illegal and large groups who have lived here for a long time who don't read or speak English and we ought to have a high priority in making programs in English instruction available to these people so they can get into the economic mainstream more effectively.

Mr. **Cross**. You are not necessarily saying Title VII?

Mr. **Orfield**. No, I would leave that to the judgment of the committee.

Mr. **Cross**. Representative Valdez, you have indicated in your statement, and I believe Ms. Swanson said the same thing, that we should not use the AIR report to base our judgments on changes. If not, what should we use?

Mr. **Valdez**. I would like to submit for the record, if I might, not only a copy of the act—I hope to be submitting that to the committee before you close—but also the kind of indicators we have had in Colorado, with the experience.

My best judgment has got to be what I see on a daily, day-to-day basis. I think the proof is really in the pudding and the experience I talked about earlier.

Mr. **Valdez**. What I am saying is there are other factors other than the AIR report from people who have worked in the field and worked throughout. I would make a recommendation you solicit other types of evidence.

I would like to have Mr. Cortes add to that, if I might.

Mr. **Cortes**. The national impact, cross-sectional sort of study undertaken by AIR is a rather inefficient way to isolate advantages of Title VII over alternative modes of evidence. There is a substantial body of research available already which supports the bilingual education concept of benefits to those children.

In our testimony we referred to the study which was conducted in Colorado which Mr. Valdez referred to. In his earlier testimony, Dr. Molina indicated there were State programs such as in Louisiana which show promise. We have a paper prepared by Edward A. DeAvila, Sharon E. Duncan, entitled "Conference on Research and Policy Implications of the Task Force Report of the Office of Civil Rights," prepared in June of 1976.

There are several pieces of research which show there are clearly identifiable results in bilingual education over mainstream education. There is also research in progress, being conducted by Professor Macarvo Saldate of the Office of Education, in which he is using standard achievement tests in his findings and using much more effective control design than did AIR, that show documentable difference of substantial magnitude in the English language achievement and also achievement in Spanish language instruction between children enrolled in Title VII and comparable children not enrolled.

Dr. Molina has also indicated a longitudinal study would be more effective than the cross-section approach taken by AIR.

AIR stands out as a sore thumb. I would suggest the failure to find benefits on AIR's part is more a reflection on their approach to the program than on the impact of the program per se.

Mr. **Cross**. Thank you, Mr. Chairman.

Mr. **Simon**. We thank our witnesses.

Hearings on the Emergency School Aid Act will begin next Tuesday.

[Whereupon, at 11:45 a.m., the subcommittee was adjourned.]

[Materials for inclusion in the record follows:]

APPENDICES

Appendix 1-A

TITLE VII—BILINGUAL EDUCATION PROGRAMS

SHORT TITLE

Sec. 701. This title may be cited as the "Bilingual Education Act."

POLICY; APPROPRIATIONS

Sec. 702. (a) Recognizing—

(1) that there are large numbers of children of limited English-speaking ability;

(2) that many of such children have a cultural heritage which differs from that of English-speaking persons;

(3) that a primary means by which a child learns is through the use of such child's language and cultural heritage;

(4) that, therefore, large numbers of children of limited English-speaking ability have educational needs which can be met by the use of bilingual educational methods and techniques; and

(5) that, in addition, children of limited English-speaking ability benefit through the fullest utilization of multiple language and cultural resources.

the Congress declares it to be the policy of the United States, in order to establish equal educational opportunity for all children (A) to encourage the establishment and operation, where appropriate, of educational programs using bilingual educational practices, techniques, and methods, and (B) for that purpose, to provide financial assistance to local educational agencies, and to State educational agencies for certain purposes, in order to enable such local educational agencies to develop and carry out such programs in elementary and secondary schools, including activities at the preschool level, which are designed to meet the educational needs of such children; and to demonstrate effective ways of providing, for children of limited English-speaking ability, instruction designed to enable them, while using their native language, to achieve competence in the English language.

(b)(1) Except as is otherwise provided in this title, for the purpose of carrying out the provisions of this title, there are authorized to be appropriated $135,000,000 for the fiscal year ending June 30, 1974; $135,000,000 for the fiscal year ending June 30, 1975; $140,000,000 for the fiscal year ending June 30, 1976; $150,000,000 for the fiscal year ending June 30, 1977; and $160,000,000 for the fiscal year ending June 30, 1978.

(2) There are further authorized to be appropriated to carry out the provisions of section 721(b)(3) $6,750,000 for the fiscal year ending June 30, 1974; $7,250,000 for the fiscal year ending June 30, 1975; $7,750,000 for the fiscal year ending June 30, 1976; $8,750,000 for the fiscal year ending June 30, 1977; and $9,750,000 for the fiscal year ending June 30, 1978.

(3) From the sums appropriated under paragraph (1) for any fiscal year—

(A) the Commissioner shall reserve $16,000,000 of that part thereof which does not exceed $70,000,000 for training activities carried out under clause (3) of subsection (a) of section 721, and shall reserve for such activities 33⅓ per centum of that part thereof which is in excess of $70,000,000; and

(B) the Commissioner shall reserve from the amount not reserved pursuant to clause (A) of this paragraph such amounts as may be necessary, but not in excess of 1 per centum thereof, for the purposes of section 732.

(20 U.S.C. 880b) Enacted August 21, 1974, P.L. 93-380, sec. 105(a)(1), 88 Stat. 503, 504.

DEFINITIONS; REGULATIONS

SEC. 703. (a) The following definitions shall apply to the terms used in this title:

(1) The term "limited English-speaking ability," when used with reference to an individual, means—

(A) individuals who were not born in the United States or whose native language is a language other than English, and

(B) individuals who come from environments where a language other than English is dominant, as further defined by the Commissioner by regulations;

and, by reasons thereof, have difficulty speaking and understanding instruction in the English language.

(2) The term "native language," when used with reference to an individual of limited English-speaking ability, means the language normally used by such individuals, or in the case of a child, the language normally used by the parents of the child.

(3) The term "low-income" when used with respect to a family means an annual income for such a family which does not exceed the low annual income determined pursuant to section 103 of title I of the Elementary and Secondary Education Act of 1965.

(4) (A) The term "program of bilingual education" means a program of instruction, designed for children of limited English-speaking ability in elementary or secondary schools, in which, with respect to the years of study to which such program is applicable—

(i) there is instruction given in, and study of, English and, to the extent necessary to allow a child to progress effectively through the educational system, the native language of the children of limited English-speaking ability, and such instruction is given with appreciation for the cultural heritage of such children, and, with respect to elementary school instruction, such instruction shall, to the extent necessary, be in all courses or subjects of study which will allow a child to progress effectively through the educational system; and

(ii) the requirements in subparagraphs (B) through (E) of this paragraph and established pursuant to subsection (b) of this section are met.

(B) A program of bilingual education may make provision for the voluntary enrollment to a limited degree therein, on a regular basis, of children whose language is English, in order that they may acquire an understanding of the cultural heritage of the children of limited English-speaking ability for whom the particular program of bilingual education is designed. In determining eligibility to participate in such programs, priority shall be given to the children whose language is other than English. In no event shall the program be designed for the purpose of teaching a foreign language to English-speaking children.

(C) In such courses or subjects of study as art, music, and physical education, a program of bilingual education shall make provision for the participation of children of limited English-speaking ability in regular classes.

(D) Children enrolled in a program of bilingual education shall, if graded classes are used, be placed, to the extent practicable, in classes with children of approximately the same age and level of educational attainment. If children of significantly varying ages or levels of educational attainment are placed in the same class, the program of bilingual education shall seek to insure that each child is provided with instruction which is appropriate for his or her level of educational attainment.

(E) An application for a program of bilingual education shall be developed in consultation with parents of children of limited English-speaking ability, teachers, and, where applicable, secondary school students, in the areas to be served, and assurances shall be given in the application that, after the application has been approved under this title, the applicant will provide for participation by a committee composed of, and selected by, such parents, and, in the case of secondary schools, representatives of secondary school student to be served.

(5) The term "Office" means the Office of Bilingual Education.

(6) The term "Director" means the Director of the Office of Bilingual Education.

(7) The term "Council" means the National Advisory Council on Bilingual Education.

(8) The term "other programs for persons of limited English-speaking ability" when used in sections 731 and 732 means the program authorized by section 708(c) of the Emergency School Aid Act and the programs carried out, in coordination with the provisions of this title pursuant to section 122(a)(4)(C) and part J of the Vocational Education Act of 1963, and section 306(a)(11) of the Adult Education Act, and programs and projects serving areas with high concentrations of persons of limited English-speaking ability pursuant to section 6(b)(4) of the Library Services and Construction Act.

(b) The Commissioner, after receiving recommendations from State and local educational agencies and groups and organizations involved in bilingual education, shall establish, publish, and distribute, with respect to programs of bilingual education, suggested models with respect to pupil-teacher ratios, teacher qualifications, and other factors affecting the quality of instruction offered in such programs.

(c) In prescribing regulations under this section, the Commissioner shall consult with State and local educational agencies, appropriate organizations representing parents and children of limited English-speaking ability, and appropriate groups and organizations representing teachers and educators involved in bilingual education.

(20 U.S.C. 880 b–1) Enacted August 21, 1974, P.L. 93–380, sec. 105(a)(1), 88 Stat. 504, 505.

PART A—FINANCIAL ASSISTANCE FOR BILINGUAL EDUCATION PROGRAMS[1]

BILINGUAL EDUCATION PROGRAMS

SEC. 721. (a) Funds available for grants under this part shall be used for—

(1) the establishment, operation, and improvement of programs of bilingual education;

(2) auxiliary and supplementary community and educational activities designed to facilitate and expand the implementation of programs described in clause (1), including such activities as (A) adult education programs related to the purposes of this title, particularly for parents of children participating in programs of bilingual education, and carried out, where appropriate, in coordination with programs assisted under the Adult Education Act, and (B) preschool programs preparatory and supplementary to bilingual education programs;

(3)(A) the establishment, operation, and improvement of training programs for personnel preparing to participate in, or personnel participating in, the conduct of programs of bilingual education and (B) auxiliary and supplementary training programs, which shall be included in each program of bilingual education, for personnel preparing to participate in, or personnel participating in, the conduct of such programs; and

(4) planning, and providing technical assistance for, and taking other steps leading to the development of, such programs.

(b)(1) A grant may be made under this section only upon application therefor by one or more local educational agencies or by an institution of higher education, including a junior or community college, applying jointly with one or more local educational agencies (or, in the case of a training activity described in clause (3)(A) of subsection (a) of this section, by eligible applicants as defined in section 723). Each such application shall be made to the Commissioner at such time, in such manner, and containing such information as the Commissioner deems necessary, and

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[1] Sec. 105(a)(2)(A) of P.L. 93–380 provides as follows:

"(2)(A) The amendment made by this subsection shall be effective the date of enactment of this Act, except that the provisions of part A of title VII of the Elementary and Secondary Education Act of 1965 (as amended by subsection (a) of this section) shall become effective on July 1, 1975, and the provisions of title VII of the Elementary and Secondary Education Act of 1965 in effect immediately prior to the date of enactment of this Act shall remain in effect through June 30, 1975, to the extent not inconsistent with the amendment made by this section."

(A) include a description of the activities set forth in one or more of the clauses of subsection (a) which the applicant desires to carry out; and

(B) provide evidence that the activities so described will make substantial progress toward making programs of bilingual education available to the children having need thereof in the area served by the applicant.

(2) An application for a grant under this part may be approved only if—

(A) the provision of assistance proposed in the application is consistent with criteria established by the Commissioner, after consultation with the State educational agency, for the purpose of achieving an equitable distribution of assistance under this part within the State in which the applicant is located, which criteria shall be developed by his taking into consideration (i) the geographic distribution of children of limited English-speaking ability, (ii) the relative need of persons in different geographic areas within the State for the kinds of services and activities described in subsection (a), (iii) with respect to grants to carry out programs described in clauses (1) and (2) of subsection (a) of section 721, the relative ability of particular local educational agencies within the State to provide such services and activities, and (iv) with respect to such grants, the relative numbers of persons from low-income families sought to be benefitted by such programs;

(B) in the case of applications from local educational agencies to carry out programs of bilingual education under clause (1) of subsection (a) of section 721, the Commissioner determines that not less than 15 per centum of the amounts paid to the applicant for the purposes of such programs shall be expended for auxiliary and supplementary training programs in accordance with the provisions of clause (3)(B) of such subsection and section 723;

(C) the Commissioner determines (i) that the program will use the most qualified available personnel and the best resources and will substantially increase the educational opportunities for children of limited English-speaking ability in the area to be served by the applicant, and (ii) that, to the extent consistent with the number of children enrolled in nonprofit, nonpublic schools in the area to be served whose educational needs are of the type which the program is intended to meet, provision has been made for participation of such children; and

(D) the State educational agency has been notified of the application and has been given the opportunity to offer recommendations thereon to the applicant and to the Commissioner.

(3)(A) Upon an application from a State educational agency, the Commissioner shall make provision for the submission and approval of a State program for the coordination by such State agency of technical assistance to programs of bilingual education in such State assisted under this title. Such State program shall contain such provisions, agreements, and assurances as the Commissioner shall, by regulation, determine necessary and proper to achieve the purposes of this title, including assurances that funds made available under this section for any fiscal year will be so used as to supplement, and to the extent practical, increase the level of funds that would, in the absence of such funds be made available by the State for the purposes described in this section, and in no case to supplant such funds.

(B) Except as is provided in the second sentence of this subparagraph, the Commissioner shall pay from the amounts authorized for these purposes pursuant to section 702 for each fiscal year to each State educational agency which has a State program submitted and approved under subparagraph (A) such sums as may be necessary for the proper and efficient conduct of such State program. The amount paid by the Commissioner to any State educational agency under the preceding sentence for any fiscal year shall not exceed 5 per centum of the aggregate of the amounts paid under this part to local educational agencies in the State of such State educational agency in the fiscal year preceding the fiscal year in which this limitation applies.

(c) In determining the distribution of funds under this title, the Commissioner shall give priority to areas having the greatest need for programs assisted under this title.

(20 U.S.C. 880b-7) Enacted August 21, 1974, P.L. 93-380, sec. 105(a)(1), 88 Stat. 506, 507.

INDIAN CHILDREN IN SCHOOLS

SEC. 722. (a), For the purpose of carrying out programs under this part for individuals served by elementary and secondary schools operated predominantly for Indian children, a nonprofit institution or organization of the Indian tribe concerned which operates any such school and which is approved by the Commissioner for the purposes of this section may be considered to be a local educational agency as such term is used in this title.

(b) From the sums appropriated pursuant to section 702(b), the Commissioner is authorized to make payments to the Secretary of the Interior to carry out programs of bilingual education for children on reservations served by elementary and secondary schools for Indian children operated or funded by the Department of the Interior. The terms upon which payments for such purpose may be made to the Secretary of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the policy of section 702(a).

(c) The Secretary of the Interior shall prepare and, not later than November 1 of each year, shall submit to the Congress and the President an annual report detailing a review and evaluation of the use, during the preceding fiscal year, of all funds paid to him by the Commissioner under subsection (b) of this section, including complete fiscal reports, a description of the personnel and information paid for in whole or in part with such funds, the allocation of such funds, and the status of all programs funded from such payments. Nothing in this subsection shall be construed to relieve the Director of any authority or obligation under this part.

(d) The Secretary of the Interior shall, together with the information required in the preceding subsection, submit to the Congress and the President, an assessment of the needs of Indian children with respect to the purposes of this title in schools operated or funded by the Department of the Interior, including those State educational agencies and local educational agencies receiving assistance under the Johnson-O'Malley Act (25 U.S.C. 452 et seq.) and an assessment of the extent to which such needs are being met by funds provided to such schools for educational purposes through the Secretary of the Interior.

(20 U.S.C. 880 b-8) Enacted August 21, 1974, P.L. 93-380, sec. 105(a)(1), 88 Stat. 507, 508.

TRAINING

SEC. 723. (a)(1) In carrying out the provisions of clauses (1) and (3) of subsection (a) of section 721, with respect to training, the Commissioner shall, through grants to, and contracts with, eligible applicants, as defined in subsection (b), provide for—

(A)(i) training, carried out in coordination with any other programs training auxiliary educational personnel, designed (I) to prepare personnel to participate in, or for personnel participating in, the conduct of programs of bilingual education, including programs emphasizing opportunities for career development, advancement, and lateral mobility, (II) to train teachers, administrators, paraprofessionals, teacher aides, and parents, and (III) to train persons to teach and counsel such persons, and (ii) special training programs designed (I) to meet individual needs, and (II) to encourage reform, innovation, and improvement in applicable education curricula in graduate education, in the structure of the academic profession, and in recruitment and retention of higher education and graduate school facilities, as related to bilingual education; and

(B) the operation of short-term training institutes designed to improve the skills of participants in programs of bilingual education in order to facilitate their effectiveness in carrying out responsibilities in connection with such programs.

(2) In addition the Commissioner is authorized to award fellowships for study in the field of training teachers for bilingual education. For the fiscal year ending June 30, 1975, not less than 100 fellowships leading to a graduate degree shall be awarded under the preceding sentence for preparing individuals to train teachers for programs of bilingual education. Such fellowships shall be awarded in proportion to the need for teachers of various groups of individuals with limited English-speaking ability. For each fiscal year after June 30, 1975, and prior to July 1, 1978, the Commissioner shall report to the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Public Welfare of the Senate on the number of fellowships in the field of training teachers for bilingual education which he recommends will be necessary for that fiscal year.

(3) The Commissioner shall include in the terms of any arrangement described in paragraphs (1) and (2) of subsection (a) of this section provisions for the payment, to persons participating in training programs so described, of such stipends (including allowances for subsistance and other expenses for such persons and their dependents) as he may determine to be consistent with prevailing practices under comparable federally supported programs.

(4) In making grants or contracts under this section, the Commissioner shall give priority to eligible applicants with demonstrated

competence and experience in the field of bilingual education. Funds provided under grants or contracts for training activities described in this section to or with a State educational agency, separately or jointly, shall in no event exceed in the aggregate in any fiscal year 15 per centum of the total amount of funds obligated for training activities pursuant to clauses (1) and (3) of subsection (a) of section 721 in such year.

(5) An application for a grant or contract for preservice or inservice training activities described in clause (A)(i)(I) and clause (A)(ii)(I) and in subsection (a)(1)(B) of this section shall be considered an application for a program of bilingual education for the purposes of subsection (a)(4)(E) of section 703.

(b) For the purposes of this section, the term "eligible applicants" means—

(1) institutions of higher education (including junior colleges and community colleges) which apply, after consultation with, or jointly with, one or more local educational agencies;

(2) local educational agencies; and

(3) State educational agencies.

(20 U.S.C. 880 b-9) Enacted August 21, 1974, P.L. 93-380, sec. 105(a)(1), 88 Stat. 508, 509.

PART B—ADMINISTRATION

OFFICE OF BILINGUAL EDUCATION

SEC. 731. (a) There shall be, in the Office of Education, an Office of Bilingual Education (hereafter in this section referred to as the "Office") through which the Commissioner shall carry out his functions relating to bilingual education.

(b)(1) The Office shall be headed by a Director of Bilingual Education, appointed by the Commissioner, to whom the Commissioner shall delegate all of his delegable functions relating to bilingual education.

(2) The Office shall be organized as the Director determines to be appropriate in order to enable him to carry out his functions and responsibilities effectively.

(c) The Commissioner, in consultation with the Council, shall prepare and, not later than November 1 of 1975, and of 1977, shall submit to the Congress and the President a report on the condition of bilingual education in the Nation and the administration and operation of this title and of other programs for persons of limited English-speaking ability. Such report shall include—

(1) a national assessment of the educational needs of children and other persons with limited English-speaking ability and of the extent to which such needs are being met from Federal, State, and local efforts, including (A) not later than July 1, 1977, the results of a survey of the number of such children and persons in the States,[1] and (B) a plan, including cost estimates, to be carried out during the five-year period beginning on such date, for extend-

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[1] Section 501(b)(4) of P.L. 93-380 provides as follows:

"(4) The National Center for Education Statistics shall conduct the survey required by section 731(c)(1)(A) of title VII of the Elementary and Secondary Education Act of 1965."

ing programs of bilingual education and bilingual vocational and adult education programs to all such preschool and elementary school children and other persons of limited English-speaking ability, including a phased plan for the training of the necessary teachers and other educational personnel necessary for such purpose;

(2) a report on and an evaluation of the activities carried out under this title during the preceding fiscal year and the extent to which each of such activities achieves the policy set forth in section 702(a);

(3) a statement of the activities intended to be carried out during the succeeding period, including an estimate of the cost of such activities;

(4) an assessment of the number of teachers and other educational personnel needed to carry out programs of bilingual education under this title and those carried out under other programs for persons of limited English-speaking ability and a statement describing the activities carried out thereunder designed to prepare teachers and other educational personnel for such programs, and the number of other educational personnel needed to carry out programs of bilingual education in the States and a statement describing the activities carried out under this title designed to prepare teachers and other educational personnel for such programs; and

(5) a description of the personnel, the functions of such personnel, and information available at the regional offices of the Department of Health, Education, and Welfare dealing with bilingual programs within that region.

(20 U.S.C. 880b-10) Enacted August 21, 1974, P.L. 93-380, sec. 105(a)(1), 88 Stat. 509, 510.

NATIONAL ADVISORY COUNCIL ON BILINGUAL EDUCATION [1]

SEC. 732. (a) Subject to part D of the General Education Provisions Act, there shall be a National Advisory Council on Bilingual Education composed of fifteen members appointed by the Secretary, one of whom he shall designate as Chairman. At least eight of the members of the Council shall be persons experienced in dealing with the educational problems of children and other persons who are of limited English-speaking ability, at least one of whom shall be representative of persons serving on boards of education operating programs of bilingual education. At least three members shall be experienced in the training of teachers in programs of bilingual education. At least two members shall be persons with general experience in the field of elementary and secondary education. At least two members shall be classroom teachers of demonstrated teaching abilities using bilingual methods and techniques. The members of the Council shall be appointed in such a way as to be generally representative of the significant segments of the population of persons of limited English-speaking ability and the geographic areas in which they reside.

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[1] Sec. 105(a)(2)(B) of P.L. 93-380 provides as follows:

"(B) The National Advisory Council on Bilingual Education, for which provision is made in section 732 of such Act, shall be appointed within ninety days after the enactment of this Act."

(b) The Council shall meet at the call of the Chairman, but, notwithstanding the provisions of section 446(a) of the General Education Provisions Act, not less often than four times in each year.

(c) The Council shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration and operation of this title, including the development of criteria for approval of applications, and plans under this title, and the administration and operation of other programs for persons of limited English-speaking ability. The Council shall prepare and, not later than November 1 of each year, submit a report to the Congress and the President on the condition of bilingual education in the Nation and on the administration and operation of this title, including those items specified in section 731(c), and the administration and operation of other programs for persons of limited English-speaking ability.

(d) The Commissioner shall procure temporary and intermittent services of such personnel as are necessary for the conduct of the functions of the Council, in accordance with section 445, of the General Education Provisions Act, and shall make available to the Council such staff, information, and other assistance as it may require to carry out its activities effectively.

(20 U.S.C. 880b–11) Enacted August 21, 1974, P.L. 93–380, sec. 105 (c)(1), 88 Stat. 510, 511.

PART C—SUPPORTIVE SERVICES AND ACTIVITIES

ADMINISTRATION

SEC. 741 (a) The provisions of this part shall be administered by the Assistant Secretary, in consultation with—

(1) the Commissioner, through the Office of Bilingual Education; and

(2) the Director of the National Institute of Education, notwithstanding the second sentence of section 405(b)(1) of the General Education Provision Act;

in accordance with regulations.

(b) The Assistant Secretary shall, in accordance with clauses (1) and (2) of subsection (a), develop and promulgate regulations for this part and then delegate his functions under this part, as may be appropriate under the terms of section 742.

(20 U.S.C. 880b–12) Enacted August 21, 1974, P.L. 93–380, sec. 105(a)(1), 88 Stat. 511.

RESEARCH AND DEMONSTRATION PROJECTS

SEC. 742. (a) The National Institute of Education shall, in accordance with the provisions of section 405 of the General Education Provisions Act, carry out a program of research in the field of bilingual education in order to enhance the effectiveness of bilingual education programs carried out under this title and other programs for persons of limited English-speaking ability.

(b) In order to test the effectiveness of research findings by the National Institute of Education and to demonstrate new or innovative practices, techniques, and methods for use in such bilingual education programs, the Director and the Commissioner are authorized to make competitive contracts with public and private educational agencies, institutions, and organizations for such purpose.

(c) In carrying out their responsibilities under this section, the Commissioner and the Director shall, through competitive contracts with appropriate public and private agencies, institutions, and organizations—

(1) undertake studies to determine the basic educational needs and language acquisition characteristics of, and the most effective conditions for, educating children of limited English-speaking ability;

(2) develop, and disseminate instructional materials and equipment suitable for use in bilingual education programs; and

(3) establish and operate a national clearinghouse of information for bilingual education, which shall collect, analyze, and disseminate information about bilingual education and such bilingual education and related programs.

(d) In carrying out their responsibilities under this section, the Commissioner and the Director shall provide for periodic consultation with representatives of State and local educational agencies and appropriate groups and organizations involved in bilingual education.

(e) There is authorized to be appropriated for each fiscal year prior to July 1, 1978, $5,000,000 to carry out the provisions of this section.

(20 U.S.C. 880 b-13) Enacted August 21, 1974, P.L. 93-380, sec. 105(a)(1), 88 Stat. 511, 512.

Appendix 1-B

TITLE VII -- EMERGENCY SCHOOL AID as amended

SPECIAL PROGRAMS AND PROJECTS

Sec. 708 (a) . . .

(b) . . .

(c)(1) The Assistant Secretary shall carry out a program to meet the needs of minority group children who are from an environment in which a dominant language is other than English and who, because of language barriers and cultural differences, do not have equality of **educational** opportunity. From the amount reserved pursuant to section 704(b)(2)(A), the Assistant Secretary is authorized to make **grants** to, and contracts with—

(A) private nonprofit agencies, institutions, and organizations to develop curricula, at the request of one or more educational agencies which are eligible for assistance under section 706, designed to meet the special educational needs of minority group children who are from environments in which a dominant language is other than English, for the development of reading, writing, and speaking skills, in the English language and in the language of their parents or grandparents, and to meet the educational needs of such children and their classmates to understand the history and cultural background of the minority groups of which such children are members;

(B) local educational agencies eligible for assistance under section 706 for the purpose of engaging in such activities; or

(C) local educational agencies which are eligible to receive assistance under section 706, for the purpose of carrying out activities authorized under section 707(a) of this title to implement curricula developed under clauses (A) and (B) or curricula otherwise developed which the Assistant Secretary determines meets the purposes stated in clause (A).

In making grants and contracts under this paragraph, the Assistant Secretary shall assure that sufficient funds from the amount reserved pursuant to section 704(b)(2)(A) remain available to provide for grants and contracts under clause (C) of this paragraph for implementation of such curricula as the Assistant Secretary determines meet the purposes stated in clause (A) of this paragraph. In making a grant or contract under clause (C) of this paragraph, the Assistant Secretary shall take whatever action is necessary to assure that the implementation plan includes provisions adequate to insure training of teachers and other ancillary educational personnel.

(2)(A) In order to be eligible for a grant or contract under this subsection—

(i) a local educational agency must establish a program or project committee meeting the requirements of subparagraph (B), which will fully participate in the preparation of the application under this subsection and in the implementation of the program or project and join in submitting such application; and

(ii) a private nonprofit agency, institution, or organization must (I) establish a program or project board of not less than ten members which meets the requirements of subparagraph (B) and which shall exercise policymaking authority with respect to the program or project and (II) have demonstrated to the Assistant Secretary that it has the capacity to obtain the services of adequately trained and qualified staff.

(B) A program or project committee or board, established pursuant to subparagraph (A) must be broadly representative of parents, school officials, teachers, and interested members of the community or communities to be served, not less than half of the members of which shall be parents and not less than half of the members of which shall be members of the minority group the educational needs of which the program or project is intended to meet.

(3) All programs or projects assisted under this subsection shall be specifically designed to complement any programs or projects carried out by the local educational agency under section 706. The Assistant Secretary shall insure that programs of Federal financial assistance related to the purposes of this subsection are coordinated and carried out in a manner consistent with the provisions of this subsection, to the extent consistent with other law.

Appendix 2

federal register

FRIDAY, JUNE 11, 1976

THE NATIONAL ARCHIVES OF THE UNITED STATES • 1934 •

PART III:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

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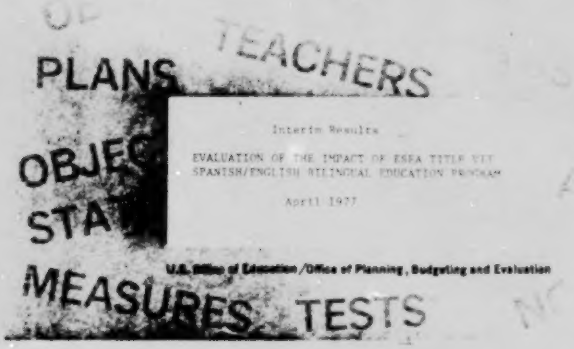
BILINGUAL EDUCATIONAL PROGRAM

Criteria for Governing Grants Awards

Appendix 3

Executive
Summary
PLANNING/EVALUATION
STUDY


OF
TEACHERS
PLANS
OBJEC
STAT
MEASURES
TESTS

Interim Results

EVALUATION OF THE IMPACT OF ESEA TITLE VII
SPANISH/ENGLISH BILINGUAL EDUCATION PROGRAM

April 1977

U.S. Office of Education/Office of Planning, Budgeting and Evaluation

BACKGROUND

The Bilingual Education Program was established in 1968 to demonstrate ways of meeting the special educational needs of students of limited English-speaking ability. A major goal of the program is to show how children can progress in school using their native language while acquiring competence in the English language. Authorized by Title VII of the Elementary and Secondary Education Act (ESEA) of 1965, as amended, the program provides funds to local educational agencies for the development and implementation of bilingual education projects.

Educators and noneducators alike have shown a growing awareness of the lack of -- and need for -- evidence regarding the effectiveness of bilingual education programs. In 1974, the U.S. Office of Education/Office of Planning, Budgeting, and Evaluation contracted with the American Institutes for Research of Palo Alto, California to conduct a study of the effectiveness of federally funded bilingual education projects. Up to that time, no large-scale national evaluation of the effectiveness of the Title VII Program had been conducted.

Bilingual education projects selected for evaluation were all Title VII Spanish/English bilingual projects in either their fourth or fifth year of funding as of fall 1975. Projects such as these were thought to be reasonably mature projects -- ones having refined their approach to bilingual education over time. (The variety of languages used in the other projects and the problems of developing testing instruments for these languages led to the decisions to limit the present study to Spanish/English bilingual projects, which comprise the majority of all bilingual projects.

The objectives of the study were:

(a) to determine the impact of bilingual education on students in cognitive and affective domains in Spanish/English bilingual education projects funded through ESEA Title VII;

(b) to describe the educational processes operating in these projects;

(c) to identify those educational practices which result in greater gains in student achievement;

(d) to determine per student costs associated with each project.

This Executive Summary describes interim results of the Study; final results will be available in the fall of 1977.

METHODOLOGY

The general design of the Impact Study was one of contrasting the performance of two groups of students: those enrolled in Title VII Spanish/English bilingual projects and comparable students not enrolled in such projects. Students from grades 2 through 6 were pretested in fall 1975 and posttested in spring 1976. The characteristics of projects in operation were documented thoroughly for a subsample of all classrooms of students involved in the Study. The Title VII group of students consisted of approximately 5300 students, in 286 classrooms, in 117 schools, in 38 projects. The non-Title VII group of students (comparable students) consisted of approximately 2400 students, in 115 classrooms, in 50 schools.

DATA COLLECTION

Standardized achievement tests were used to measure student achievement in English Language Arts (Reading and Vocabulary), Mathematics Computation (two versions of test, one in English and one in Spanish), and Spanish Language Arts (Reading). In addition, information was collected via a Student Questionnaire (two versions of questionnaire, one in English and one in Spanish) about student background factors and student attitude toward school-related activities. To assess teacher characteristics and attitudes toward bilingual education, a teacher/aide questionnaire was developed. To document the educational experiences of subsets of students in the sample, interviews were conducted with personnel at those sites selected and classrooms were observed.

Each student was assigned a testing package containing tests appropriate to their level of language competence as judged by the classroom teacher: English-dominant, Spanish-dominant, bilingual Spanish-dominant, bilingual English-dominant. All students were administered the English Language Arts tests. The testing sessions were conducted in the late fall and late spring of the 1975-76 school year.

THE SAMPLE

Students participating in each of the 38 Spanish/English bilingual projects in their fourth or fifth year of funding (as of fall 1975) were tested. Within each project, at least one classroom was randomly selected for testing from each grade level 2 through 6. To the extent that participating projects would agree to additional testing, additional classrooms of students were randomly selected for testing. Not every grade at every school was tested; however, for a given project, all grades were represented. The result was that approximately 40 to 50 per cent of all classrooms within each project were tested.

For each Title VII classroom selected for testing, project personnel were asked to nominate non-Title VII classrooms (comparable students) within or nearby their district whose students matched the Title VII students in terms of (a) ethnicity, (b) socioeconomic status, and (c) grade level. Where there was more than one potential "match," a random selection was made to select the non-Title VII classroom to be included in the Impact Study. However, 18 projects were not able to nominate comparable non-Title VII classrooms. The non-Title VII students were roughly comparable to the Title VII students, with the one exception that more non-Title VII students than Title VII students were classified by their teachers as either English-dominant or bilingual English-dominant -- 96 per cent as compared to 75 per cent. (See footnote 1.)

DATA ANALYSIS PROCEDURES

Two data analysis procedures were used to assess the overall effectiveness of the Title VII Spanish/English bilingual projects. One, posttest scores of Title VII students -- adjusted statistically for differences between groups on pretest score and socioeconomic status -- were contrasted with those of non-Title VII students for each grade 2 through 6. Two, the achievement levels of Title VII and non-Title VII students were contrasted with national norms whenever such norms were available for the achievement test used.

FINDINGS

What kinds of students were participating in the Title VII projects?

- Approximately 75 per cent of the students enrolled in the Title VII Spanish/English bilingual classrooms were of Hispanic origin.
- However, less than one-third of the students enrolled in the Title VII classrooms in grades 2 through 6 were of limited English-speaking ability.

How experienced were the Title VII teachers and aides in bilingual education?

- Almost all the teachers and most of the aides had been involved with inservice or district workshops in bilingual education and had taken course work in bilingual education.
- Two-thirds of the teachers and two-thirds of the aides had two or more years of teaching experience in bilingual education classrooms.
- Approximately two-thirds of the teachers and almost all of the aides indicated that they spoke both English and Spanish in their homes.

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[1] The final report will contain the results of various analyses which will attempt to statistically eliminate this difference between Title VII and non-Title VII students.

What were some general characteristics of the Title VII projects?

- The number of students served by a Title VII project ranged from 200 to 5000, with approximately half of the projects serving between 200 and 500 students each.

- Project management was generally stable over the 4 or 5 years of operation. Ten per cent of the projects had more than two project directors; about half had two directors; and, one-third had the same director since the project's inception.

- Although the intent of the ESEA Title VII legislation is to focus upon students of limited English-speaking ability, approximately 85 per cent of the project directors indicated that Spanish-dominant students remain in the bilingual project once they are able to function in school in English. Only 5 per cent of the project directors indicated that a student is transferred to an English-only classroom once the student learns English well enough to function in school.

- For students enrolled in the Title VII projects, per pupil expenditures from Title VII funds ranged from \$150 to \$739 with an average of \$310; district expenditures ranged from \$680 to \$1243 with an average of \$915; funds for bilingual education from State and/or Federal sources ranged from \$18 to \$71 with an average of \$44; and, funds from other sources (Federal and State, but not bilingual) ranged from \$0 to \$271 with an average of \$174. Considering all sources of funds, the per pupil cost for Title VII students ranged from \$1127 to \$2120 with an average of \$1398. (The grand total per per cost for non-Title VII students ranged from \$992 to \$1534 with an average of \$1022.)

What was the impact of Title VII projects on student achievement and attitude toward school?

- Although the exact percentiles vary among grades, both Title VII and non-Title VII students were achieving in English Language Arts at approximately the 20th percentile relative to the national norm both when tested in the fall and in the spring. (See footnote 2.)

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[2] The Comprehensive Test of Basic Skills was used to measure student achievement in English Language Arts and Mathematics computation. Although the norm table for results obtained at the end of the school year is empirically based, the norm table for the beginning of the school year is based on estimated student achievment. A more accurate estimation (in progress) of the norms for the beginning of the school year may slightly alter these results. The results of these analyses will appear in the final report.

- Non-Title VII Hispanic students outperformed Title VII students on English Language Arts. The two groups were similar on socioeconomic status and pretest score; in addition, statistical corrections were made for differences which did not exist. However, there were large differences in language dominance, the non-Title VII group being more English-dominant, and adjustments have not yet been made for these differences. Therefore, the differences in performance between the two groups may be accounted for by either participation in the program or by language dominance or by both factors. Both groups generally either maintained or improved their percentile ranks but it is possible that further, more refined, analysis will lessen these positive effects.
- Title VII Hispanic students generally performed better than non-Title VII Hispanic students with regard to Mathematics Computation. However, both groups generally either maintained or improved their percentile rank (approximately 30) from pretest to posttest.
- For Title VII Hispanic students, posttest achievement in Spanish Reading exceeded that measured at pretest; however, because there was no way to estimate how well such students would have scored in the absence of a bilingual education program, the extent to which such gains should be attributed to the program is not clear.
- Participation in a Title VII project did not affect attitudes toward school-related activities.

SUMMARY

The evaluation of the ESEA Title VII Spanish/English bilingual projects indicates that a relatively small number (less than one-third) of students participating in the projects could be classified as having limited English-speaking ability. With respect to student achievement, the evaluation indicates that:

(a) Title VII Hispanic students -- including those who were Spanish monolingual -- performed better in Mathematics computation than would have been expected in the absence of a program.

(b) The results on English reading and vocabulary tests are mixed but generally less favorable for Title VII students. Hispanic students in Title VII classrooms usually performed poorer than non-Title VII students. However, the non-Title VII students as a group were more English-dominant than the Title VII students -- and this difference may account for some of the results. Both groups generally either maintained or improved their percentile ranks from pretest to posttest.

(c) Achievement gains in Spanish Language Arts by Title VII Hispanic students were observed but could not be attributed solely to participation in the bilingual education program.

One difficult problem with any evaluation of program impact is estimating what student performance would have been in the absence of that program. Further refinements of such estimates will be presented in the final report and may slightly alter the findings presented at this time, but no major differences are expected.

Appendix 4

The Condition of Bilingual Education in the Nation

First Report by the U.S. Commissioner of Education to the President and the Congress

(as required by section 731 of Title VII, Elementary and Secondary Education Act)

National Assessment and Dissemination Center – ESEA, Title VII

DISSEMINATION
385 High Street
Fall River, Mass. 02720
(617) 678-1425

ASSESSMENT
Lesley College
9 Mellen Street
Cambridge, Mass. 02138
(617) 492-0505

Legislative Requirement for Report

Section 731, Title VII, of the Elementary and Secondary Education Act of 1965, as amended by Section 105(a)(1) of the Education Amendments of 1974 (Public Law 93-380) requires the Commissioner of Education to prepare and submit to the Congress and the President a report on the condition of bilingual education in the Nation and on the administration and operation of this title and of other programs for persons of limited English-speaking ability. The report shall include -

> (1) a national assessment of the educational needs of children and other persons with limited English-speaking ability and of the extent to which such needs are being met from Federal, State, and local efforts, including (A) not later than July 1, 1977, the results of a survey of the number of such children and persons in the States, and (b) a plan, including cost estimates, to be carried out during the five-year period beginning on such date, for extending programs of bilingual education and bilingual vocational and adult education programs to all such preschool and elementary school children and other persons of limited English-speaking ability, including a phased plan for the training of the necessary teachers and other educational personnel necessary for such purpose;
>
> (2) a report on and an evaluation of the activities carried out under this title during the preceding fiscal year and the extent to which each of such activities achieves the policy set forth in section 702(a);
>
> (3) a statement of the activities intended to be carried out during the succeeding period, including an estimate of the cost of such activities;
>
> (4) an assessment of the number of teachers and other educational personnel needed to carry out programs of bilingual education under this title and those carried out under other programs for persons of limited English-speaking ability and a statement describing the activities carried out thereunder designed to prepare teachers and other educational personnel for such programs, and the number of other educational personnel needed to carry out programs of bilingual education in the States and a statement describing the activities carried out under this title designed to prepare teachers and other educational personnel for such programs; and
>
> (5) a description of the personnel, the functions of such personnel, and information available at the regional offices of the Department of Health, Education, and Welfare dealing with bilingual programs within that region.

CONTENTS

Page

I. SUMMARY 1
II. INTRODUCTION 7
III. BILINGUAL EDUCATION: HISTORY AND RATIONALE 9
IV. QUANTIFYING THE NEED FOR BILINGUAL EDUCATION 17
V. RESOURCES REQUIRED TO MEET THE EDUCATION NEEDS OF LIMITED-ENGLISH-SPEAKING PERSONS 25
VI. BILINGUAL EDUCATION PROGRAMS 33
  INTRODUCTION 33
  BILINGUAL EDUCATION ACT, ESEA TITLE VII 34
  EMERGENCY SCHOOL AID ACT 43
  VOCATIONAL EDUCATION ACT 46
  ADULT EDUCATION PROGRAM 51
  LIBRARY SERVICES AND CONSTRUCTION ACT 54
  CIVIL RIGHTS ACT, TITLE IV 57
  EDUCATION OF DISADVANTAGED CHILDREN, ESEA TITLE I 63
  SUPPLEMENTARY EDUCATIONAL CENTERS AND SERVICES, ESEA TITLE III 66
  FOLLOW THROUGH 68
  RIGHT-TO-READ 71
  SPECIAL PROGRAMS FOR STUDENTS FROM DISADVANTAGED BACKGROUNDS 73
  INDIAN EDUCATION ACT, TITLE IV 77
  STRENGTHENING DEVELOPING INSTITUTIONS PROGRAM, HIGHER EDUCATION ACT, TITLE III 81
  NATIONAL INSTITUTE OF EDUCATION: RESEARCH IN BILINGUAL EDUCATION 84
  STATE BILINGUAL EDUCATION PROGRAMS 85
  EDUCATIONAL TELEVISION 90
VII. EVALUATIONS OF BILINGUAL EDUCATION 95
VIII. ADMINISTRATION OF FEDERAL BILINGUAL EDUCATION PROGRAMS 107

APPENDIXES

A. Activities of the National Center for Education Statistics Related to the Bilingual Education Report 115

B. 1975 Survey of Languages 117

TABLES

1. Size of Population by Language Groups 22
2. Number of Teachers Required to Meet the Needs of Limited-English-Speaking Persons in the School-Age Population 27

Page

3. Numbers of Institutions of Higher Education Training Bilingual Education Personnel, by Language and Level of Assignment, 1975-76........ 29
4. Funding History of ESEA Title VII Bilingual Programs 1969-1976.................... 37
5. Expenditures in 1974-75 for Limited-English-Speaking Persons as Reported by SEA's.. 87
6. Participation in Programs for Limited-English-Speaking Children........................ 89

I

SUMMARY

The maximum number of persons of limited English-speaking ability in the Nation is estimated at 15 million. (See the analysis in chapter IV.) This number, based upon a Bureau of the Census survey conducted in 1975, is derived from questions about the place of birth, languages spoken in the households surveyed, and languages usually spoken by individuals surveyed. Because the methods used in the survey did not permit direct measurements of English-speaking ability, the estimate probably includes a substantial number of persons who are proficient in English, as well as those who are truly limited in their command of English. Until more definitive data collected in 1976 are analyzed, 15 million will be taken as the maximum number of persons in the Nation who may have a need for bilingual education.

About 24 percent of the 15 million, or 3.6 million, are 4 to 18 years of age and therefore of particular concern to the Nation's public and private schools. It is likely that many of these persons, because of their limited English-speaking ability, need special curriculums if they are to make satisfactory progress through school. Seventy-six percent, or 11.4 million, are over 18 years of age, but it is not possible at this time to estimate how many persons in the older population are seeking, or might in the future seek, to further their education.

It is also estimated that as much as 6 percent of the school age population has limited English-speaking ability. Spanish is by far the most prevalent non-English language spoken in the United States. Some 69 percent (2.1 million persons) of the school-age population speak it. While many other languages are spoken, only five of them account for more than 50,000 persons each: Italian, French, Filipino, German, and Chinese.

We have, then, an upper limit to the size of the limited-English-speaking population--3.6 million in the school-age population and 11.4 million adults. Bilingual education is not restricted, however, to those with limited English-speaking ability. For example, title VII of the Elementary and Secondary Education Act (ESEA), while placing priority on persons of limited English-speaking ability, permits limited enrollment of English-speaking children. State and local laws and practices may be either more or less restrictive than the Federal law, depending upon judgments about the value of bilingual education for English-dominant students. As a result it is not possible to estimate the overall size of the population which might eventually participate in bilingual education if there were not constraints on resources. Most would agree, however, that for the present the highest priority for attention must be the limited-English-speaking population.

In light of the foregoing background on the target population, several questions can now be asked. What is the condition of bilingual education in the Nation? What advances have been made? What problems remain to be solved?

This report is the first attempt by the Office of Education to provide answers to these questions.

Compared to most aspects of the American education system, bilingual education is undergoing rapid evolution in terms of concept, implementation, public support, and involvement by the Federal and State governments. Though bilingual education in the Nation has a long history, it has been a fitful history until recently. After World War II, social forces for bilingual education gradually grew stronger until the mid-1960's, when they coincided with congressional action on major new Federal legislation in education--the Elementary and Secondary Education Act of 1965. By 1968, the law had been amended to include a special section on bilingual education and in fiscal year 1969, $7.5 million were appropriated to carry out the program. Though the amount of money was not large, the fact that the Federal Government formally acknowledged the potential of bilingual education provided impetus to further growth in the 1970's.

Since the 1920's a number of court decisions have removed restrictions against the use of languages other than English in the schools, and some of the more recent decisions have directly favored the spread of bilingual education. In *Lau* v. *Nichols*, the most famous case, the Supreme Court ruled that the San Francisco school district must provide special programs for children of limited English-speaking ability. Although the Court did not require bilingual education, that approach is certainly one way of assuring equal access to education. Some other cases, ruled on by lower courts, have required bilingual education as a course of action.

Court decisions have been accompanied by new laws in support of bilingual education. In some States, the changes merely remove prohibitions on the use of non-English languages as mediums of instruction. In addition, however, eight States now have laws which require bilingual education under certain conditions.

Federal legislation affecting bilingual education has also proliferated since passage of the Bilingual Education Act (BEA) in 1968. In addition to providing demonstrations of bilingual education in classrooms (44 different languages are used), the program currently (1976) provides about $25 million for training bilingual instructional personnel and about $7 million for development, testing, and dissemination of materials.

Although the original legislation is the most comprehensive and the largest in terms of money directly earmarked for bilingual education, two other pieces of legislation are especially pertinent: the bilingual education section of the Emergency School Aid Act (ESAA) and the

Bilingual Vocational Training Program (BVTP). ESAA provides financial assistance to school districts that are desegregating and at the same time have a need for bilingual education. BVTP is for persons who are unemployed or underemployed because of limited English-speaking ability. BVTP also provides some training for persons to serve as instructors or counselors in vocational education and for the development of instructional materials and techniques.

One new Federal activity which may eventually have far-reaching importance for bilingual education is the establishment of nine centers across the Nation to help school districts implement educational programs for limited-English-speaking students and do so in compliance with the Lau v. Nichols decision.

Many other Federal programs give special attention to the limited-English-speaking population though not necessarily in the form of bilingual education. These programs provide funds for a wide range of educational activities, including adult education, vocational education, library programs, and financial help to developing institutions of higher education which serve large numbers of limited-English-speaking persons.

Expansion of inschool programs has been accompanied by the development of television programs designed to help children learn English and develop positive self-concepts and to help English-language children learn the language and culture of another ethnic group. The value of bilingual television lies in its potential for reaching a wide audience. Two Spanish-English series--Carrascolendas and Villa Allegre--are already being broadcast on many public television stations. Other programs are under development.

The overall picture of bilingual education and, more generally, of special activities to meet the educational needs of limited-English-speaking children is one of rapid growth and evolution, especially in the last 6 to 8 years. It is probably also true, however, that many persons who might benefit from bilingual education have no opportunity to do so. Although there is presently no nationwide, unduplicated count of the number of school-age persons participating in bilingual education, fragmentary evidence on participation indicates that less than one-half million students are in some form of bilingual education; what proportion comes from a limited-English-speaking background is not known, however. When compared to estimates of the size of the target population, this suggests that there are 2 to 3 million limited-English-speaking persons who are not participating in bilingual education. It is estimated that approximately 77 percent of persons from limited-English-speaking backgrounds are 19 years of age and older. It is likely that only a small proportion of them are participating in bilingual education, but it is also probably true that a relatively small proportion are seeking formal education in any form. In sum, while the trend is to offer bilingual education to increasing numbers of limited-English-speaking persons, there remain substantial numbers who are not participating.

Bilingual education is thus advancing in terms of the number of persons participating and also in the variety of educational offerings. Federal activities provide clear evidence of this fact, but there is also a trend toward increasing support for bilingual education at the State and local levels. Action at the local level may accelerate notably as a consequence of the Lau v. Nichols case and similar court decisions.

What are the main factors which tend to suppress more widespread use of bilingual education? They seem to be three in number: limited availability of instructional materials, a shortage of qualified teachers, and absence of convincing evidence of the effectiveness of bilingual approaches.

Limited availability of materials is widely acknowledged as a problem in bilingual education. Availability is improving for Spanish-language materials, but schools using other languages still face severe problems. Commercially developed materials, especially Spanish/English, are now becoming available as are some materials whose development was fostered by title VII of ESEA. In 1975 the Office of Education greatly broadened its efforts to develop, test, and disseminate curriculums, so that approximately $7 million is now spent annually for those purposes. When these efforts come to fruition several years hence, the shortage of materials should be much less, although bilingual materials will never be available in as great a variety as English-only materials. Languages represented by small numbers of people--e.g., many of the Native American languages, languages of the Trust Territories, and the rarer Indo-European languages--will probably always be a problem because, even if heavily subsidized by the Federal Government, the costs per student will probably be very high because the market will be so small.

The bilingual education approach usually assumes that a teacher is fluent in two languages. However, there are apparently too few such teachers even for today's bilingual classrooms, and the continuing shortage of newly trained teachers will probably limit the expansion of bilingual education in the near future.[1]

Prior to 1975, most federally supported teacher training was in-service and accounted for expenditures of about $7 million per year.

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[1] In current practice, when fully bilingual teachers are not available, the teaching load is often equally shared by two teachers or a teacher and an aide in such a way that both languages are used.

With the broader training authority added to ESEA Title VII in 1974, some $25 million is now being spent annually to increase the supply of teachers, including preservice and inservice training, graduate fellowships, and some support to enable colleges and universities to build up departments for training bilingual education personnel. Following the general development of bilingual education, there appears to be an increase in the number of colleges and universities offering training for bilingual teachers. A 1975 survey showed that 218 institutions offered training for teachers at the elementary and secondary level: 155 in Spanish, 26 in other European languages, 16 in Native American languages and 21 in Asian languages.

The exact dimensions of the teacher shortage are difficult to gauge because neither the size of the target population nor the number of qualified teachers is known with much certainty. Although ongoing and planned surveys by HEW will clarify the extent of the shortage, the problem will probably exist for a number of years. Certainly there is little danger of a sudden surplus of bilingual teachers. As with the materials shortage, the situation is complicated by the large number of languages involved. By far the greatest need in terms of numbers is for Spanish/English teachers. For the nine other major languages a few thousand bilingual teachers in each language may suffice, and for the many rarer languages a few hundred teachers may fill the need. However, the fact that relatively few teachers are needed for languages other than Spanish may not make the problem any easier because colleges and universitites are less likely to have special programs for the other languages. Perhaps some kind of generalized teacher training, not restricted by languages, can fill the need.

The third factor which may constrain the use of bilingual education is the limited evidence of its effectiveness. Research results are sparse. There is little to guide educators in designing and implementing effective bilingual projects. The rationale for bilingual education seems logical and plausible and, during the recent years of rapid growth, the lack of data on the effects of bilingual education has done little to dampen enthusiasm for the approach. Usually, however, as new educational approaches mature, there is more of a tendency to ask for evidence of effectiveness, and the absence of evidence may therefore curtail expansion. In any case, more research and evaluation, especially a "planned variations" study of bilingual education, would provide a better basis than presently exists for rational expansion. Curriculum developers, teacher training institutions, and school systems can all benefit from clearer indications of how to meet the needs of the limited-English-speaking population.

II

INTRODUCTION

LEGISLATIVE REQUIREMENT

The Education Amendments of 1974 require the Commissioner of Education to submit to the President and the Congress two reports on the condition of bilingual education in the Nation. Briefly, the requirements for the First Report are to (1) assess the needs of persons of limited English-speaking ability and the extent to which the needs are being met; (2) report on the operation of the Bilingual Education Program and several other Federal programs--sections of the Emergency School Aid Act, the Vocational Education Act, the Adult Education Act, and the Library Services and Construction Act; (3) estimate how many teachers and other educational personnel are needed for bilingual education, and (4) describe the role of the HEW Regional Offices in bilingual programs.

For the Second Report on the Condition of Bilingual Education in the Nation, the legislation adds the following requirements: (1) a survey to estimate the number of persons of limited English-speaking ability, and (2) a 5-year plan for extending bilingual education to all persons of limited English-speaking ability. The Second Report is scheduled for delivery to the President and the Congress in February 1978.

SCOPE AND LIMITATIONS OF THE PRESENT REPORT

This First Report provides information that meets the four requirements mentioned above plus information not specifically called for in the legislation. The history and rationale for bilingual education are briefly discussed first; then both pedagogical reasons supporting bilingual education and court decisions affecting its adoption are touched upon. Estimates are then made of the number of persons of limited English-speaking ability. These estimates are based upon the Current Population Survey conducted in the spring of 1975. More definitive data were collected in the spring of 1976, and more precise and detailed estimates will be presented in the Second Report.

A particularly difficult task posed by the legislation is to determine how well the needs of limited-English speakers are being met by Federal, State, and local programs. In this First Report, existing data about 14 Federal programs have been used to partially fill out the picture. However, since the data were not collected specifically for this report, categories of information and definitions are not uniform for all programs. Results of recent evaluations of ESEA Title VII are also presented as well as a description of developmental work designed to provide a low-cost way of replicating successful bilingual projects.

A brief survey of State programs was made to gather a small amount of information on these State activities. It was not generally possible to collect information on local programs. Wide-audience, bilingual television programs are covered, however. A description of HEW regional activities is provided as required by the legislation.

The Current Population Survey data on the numbers of limited-English speakers are used to estimate how many teachers are needed for bilingual education. However, since estimates of the numbers of qualified educators presently providing bilingual education are not as yet available, it is not possible at this time to estimate the size of the shortage.

TOPICS TO BE INCLUDED IN THE SECOND REPORT

As noted, the Second Report will include two topics not found in this First Report: a 5-year plan for bilingual education and a national needs assessment based on the results of a survey to estimate the number of persons of limited English-speaking ability. Collection of data for the survey, conducted by the Bureau of the Census under the direction of the National Center for Education Statistics, took place in the spring of 1976. When the analysis of the survey results is completed, it should provide much better information about the target population.

In addition, several ongoing studies will yield better data in a number of areas not fully covered in this report. For example, the results of a major evaluation of the impact on students of title VII will be available. This evaluation will, for the first time, provide uniform data, including two-language achievement test results, from a sample of title VII projects.

Another ongoing study of State bilingual education programs will provide better information on this particular area of increasing activity. If enough funds are available, a new survey in 1976-77 will examine the ways in which schools meet the needs of students of limited English-speaking ability. The results, based upon a representative sample of children, will provide improved information on how well the needs of these students are being met and on the extent of the teacher shortage.

Two ongoing studies concern the resources required for bilingual education. One is a survey of colleges and universities to identify and describe teacher training programs for bilingual education. The other is a study to identify available instructional materials for bilingual classrooms and the gaps in the present inventory.

These special studies plus updated information on Federal programs will be the basis for the Second Report.

III

BILINGUAL EDUCATION: HISTORY AND RATIONALE

BILINGUAL EDUCATION IN UNITED STATES SCHOOLS

Given the many languages used in the world, it is not surprising that bilingual education has a long and international history. Although the United States is presently less multilingual than many other countries (in terms of the percentage of persons who speak a language other than the dominant language) a great many of its citizens are immigrants from non-English-speaking countries and many more are descendants of such immigrants. Moreover, three-quarters of a million Native Americans speak an Indian tongue as their first language. As a consequence, the number of languages spoken within the boundaries of the United States and its territories is perhaps exceeded only by India and the USSR.

From the Nation's earliest days, non-English schools flourished as a way of meeting the needs of a diverse population.[1] However, many of the nonpublic schools were not bilingual; rather, they used the native tongues as a medium of instruction and taught English as a second language. For most of the 19th century, German was almost the only non-English language permitted in the public schools as a medium of instruction. French in Louisiana and Spanish in New Mexico were exceptions.

Then, during the first half of the 20th century, and especially after World War I, bilingual education seems to have become less prevalent. For probably a variety of reasons, support for it apparently diminished.

After World War II, however, conditions began to change. The 1960's saw the re-emergence of bilingual education. One program which seems to have had widespread influence was established for Cubans fleeing from the Castro regime. That program, established in Miami in 1963, was quickly followed in 1964 by two programs in Texas: in Webb County and San Antonio. During the next few years, several other programs were established; all were Spanish/English except for a Navajo/English project at Rough Rock, Arizona. In 1968 passage of the Bilingual Education Act gave national attention to the needs of persons of limited English-speaking ability. That legislation has greatly accelerated the adoption of bilingual education, both directly as a result of Federal dollars appropriated for the program, and indirectly as a result of increasingly favorable public opinion.

The role of the courts has been a slowly developing factor in the history of bilingual education. During the 1970's, court decisions have assumed new prominence in bilingual education.

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[1] See Anderson, T., and Boyer, M. Bilingual Schooling in the United States. Austin, Texas; Southwest Educational Development Laboratory, 1970.

COURT DECISIONS

It is beyond the scope of this report to summarize all of the legal implications of court decisions bearing upon bilingual education.[2] Some of the important court cases should be noted, however, because they have affected the condition of bilingual education in the Nation. Recent decisions promise to have an even greater impact.

Although the Lau v. Nichols case in 1974 is usually regarded as a key turning point for bilingual education, earlier court decisions have also been important. From the 1920's through the 1940's, several court actions[3] removed constraints on foreign language instruction in the schools. For example, Mayer v. Nebraska struck down a State law forbidding the teaching of a foreign language on the grounds that to do so was an infringement of the liberty to acquire knowledge. In other cases similar decisions followed which permitted foreign language instruction, and presumably bilingual education, but which did not deal directly with the plight of limited-English-speaking persons seeking education in a school system whose main language of instruction was English. The situation changed with the Lau v. Nichols case.

In this case, on January 21, 1974, the U.S. Supreme Court ruled on educational discrimination through inaction. At that time, the San Francisco school district was held accountable for not providing special programs for 1800 students of Chinese ancestry. It was ruled that such children, because of their limited English-speaking ability, had been denied equal access to the educational programs of the school district.

The Court's decision was based upon the Civil Rights Act of 1964 and associated Federal regulations published by the Department of Health, Education, and Welfare. The regulations define inaction on the part of a school district as educational discrimination. They state:

> Where inability to speak and understand the English language excludes national origin-minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students. (35 Fed. Reg. 11595)

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[2] For a review of legal precedents pertinent to bilingual education cases, see Grubb, E. B. "Breaking the Language Barrier: The Right to Bilingual Education." Harvard Civil Rights - Civil Liberties Law Review, Volume 9, 1974.

[3] Geffert, H. N., et al. "The Current Status of U.S. Bilingual Education Legislation." Papers in Applied Linguistics, Bilingual Education Series, 4. Arlington, Virginia: Center for Applied Linguistics, 1974.

While the *Lau* v. *Nichols* decision certainly advances the cause of limited-English-speaking students in that schools must address these students' special needs, the Court did not require that bilingual education be provided. Indeed, the Court did not specify a remedy but instead turned the problem back to the lower court and the school district to work out an appropriate solution.

Another issue, raised by Justice Harry A. Blackmun in a concurring opinion, is the point at which schools are obligated to provide special instruction. The *Lau* case was in behalf of a large number (1800) of students and Justice Blackmun indicated that he did not regard the case as conclusive when very small numbers of children are involved. It seems likely that the number of children involved will be a factor in some future court cases.

As a followup on the *Lau* case, HEW is pursuing two courses of action. The Office of Civil Rights is reviewing the compliance of other school districts with respect to the conditions of discrimination which led to the Court ruling. In addition, the Office of Education (USOE) is providing funds to help school districts address the problems identified in the *Lau* case. More information on the USOE program can be found in chapter VI.

In another important case similar to *Lau*, the trial court, in *Serna* v. *Portales Municipal Schools*, ruled that the Spanish-speaking plaintiffs in a New Mexico school district did "not in fact have equal educational opportunity and that a violation of their constitutional right to equal protection exists." The court fashioned relief in the form of a bilingual/bicultural program. In July 1974, the Tenth Circuit Court of Appeals upheld the lower court and affirmed that the appellees have a right, under title VI of the Civil Rights Act of 1964, to bilingual education. The Court of Appeals also declined to alter the bilingual/bicultural program set forth by the trial court.

A class action suit, *Aspira of New York, Inc.* v. *Board of Education of the City of New York*, started in 1972, was finally settled by a Consent Decree in August 1974. The school board agreed to establish bilingual programs for all children whose English language deficiency prevents them from effectively participating in the learning process and who can more effectively participate in Spanish.

The issue of how much power the courts should have in bilingual cases is illustrated by *Keyes* v. *School District No. 1, Denver, Colorado*. The parents of public school students had sought relief from alleged segregation in the schools. The District Court found that the school district maintained a dual system so it adopted a desegregation plan including provisions for the bilingual/bicultural education of minority students. The bilingual/bicultural program ordered by the court on a trial basis touched, in the view of the Tenth Circuit Court of Appeals, virtually every aspect of curriculum planning, methodology, and philosophy which would ordinarily be the responsibility of local school authorities. Consequently, the appeals court ruled, in August 1975, that the District Court had overstepped the limits of its remedial powers. The interpretation of this decision was somewhat clouded because the main issue faced by the courts was that of school segregation.

It should be evident from the foregoing examples that, while conditions and outcomes may vary somewhat, the general trend is for court rulings in favor of plaintiffs who charge that school districts do not adequately address the special needs of limited English-speaking children. Although the courts do not always require bilingual education as a remedy, their actions are in accord with the more general trend for support of bilingual education in the United States.

PEDAGOGICAL RATIONALE

While there may be several bases for bilingual education, including social, political, and legal, the pedagogical rationale is of greatest concern here. Schools should be seeking better ways for children to learn. In the case of minority group children whose dominant language differs from that of the schools, Engle has posed two questions which are paramount: (1) Will a child learn to read more rapidly in his second language if he is first taught to read in his dominant language? and (2) Will the child achieve greater general knowledge of other subject matter areas in his school language if he is taught these subjects first in his native language?[4]

Many informed educators would answer yes to both questions; indeed government policies in support of bilingual education seem to start with that usually unstated premise. Federal bilingual legislation provides, for example, that:

> there is instruction given in, and study of, English and, to the extent necessary to allow a child to progress effectively through the educational system, the native language of the children of limited English-speaking ability, and such instruction is given with appreciation for the cultural heritage of such children, and with respect to elementary school instruction, such instruction shall, to the extent necessary, be in all courses or subjects of study which allow a child to progress effectively through the educational system.

In other words, it seems quite plausible, and axiomatic to some, that early, formal education in the native language would enable a child to progress more effectively through a school system in which the main medium of instruction is a second language to the child. It is obvious, for example, that if a child cannot comprehend the words being used for instruction, then the child certainly cannot understand the concepts being taught. Assuming, however, that communication takes place in the native language, instruction can proceed in various ways. For example, reading can be restricted to the native language until those skills are well developed; the second language would then be introduced. Or the second language could be introduced orally and followed by reading in the second language but with no reading in the native language. The first example is regarded as part of a bilingual approach; the second is not. From here on the differences between bilingual education and other approaches multiply. In a bilingual education program the native language is used as the medium of instruction for other subjects in the early school years while the nonbilingual approach uses the second language. Other differences can be cited[5], but for brevity we shall simply say that bilingual education is the use of two languages as mediums of instruction.

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[4] Engle, P. L. "Language Medium in Early School Years for Minority Language Groups." Review of Educational Research, 1975, Volume 45, No. 2, 283-325.

Despite the plausible educational rationale for bilingual education, a related body of supportive research has not emerged. Research on bilingual programs has largely been conducted outside the United States in countries such as Canada, Norway, the Philippines, and Ireland. The applicability of these studies to conditions in the United States is unknown, and few investigations under comparable conditions have been initiated in this country. Furthermore, the few studies that have been conducted in the United States have looked at programs which are not typical of most programs in public schools.

The major contribution of the investigations of bilingual education is essentially methodological; they tell us not to repeat similar procedural pitfalls. The studies have not shown consistent results[6] in part because of methodological problems and also because they were conducted under widely different circumstances; there were different program objectives, program approaches, levels of teacher training, types of children, and so on. The methodological problems include inappropriate selection of evaluation instruments, faulty evaluation design, failure to document the form of the bilingual program offered, and insufficient attention to the impact of attitudes held by either the community or the teachers and administrators. Moreover, the research does not even provide substantial evidence that bilingual education is better than a nonbilingual approach. Consequently, the pedagogical rationale for bilingual education must rest upon reasonable but unproven assumptions.

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[5] Ibid.

[6] See, for example, Venezky, R. L. "Nonstandard Language and Reading." Elementary English, 1970, 47, 334-45, and Engle, P. L., op. cit.

It is argued, for example, that using the native language has linguistic, psychological, and sociological advantages. The linguistic argument says that language is part of a total system for conceptualizing and transmitting ideas and therefore includes a way of thinking, or viewing the world, as well as communicating with other individuals. For reasons which may be deeply imbedded in the cultures, direct word-for-word translation from one language to another is difficult. Therefore, when a child enters school it is best for him to continue to learn in his native language rather than to immediately face not only the added task of learning a new language but also learning different ways of conceptualizing the world of experience. Of course, since the research evidence is not strong, not all linguists agree with this particular position.[7]

Psychologically, it is generally presumed that teaching a child in the native language will lead to greater self-esteem than if he/she is required to adopt a second language for school purposes. If only the second language is used to impart knowledge, the child may see the native language as less worthy than the second language and, by extension, that the speakers of the native language are also less worthy. While this argument seems plausible, there appears to be no empirical evidence to support it.

A more sociological argument in favor of bilingual education begins with the notion that the school is but one part of the environment in which the child must function. As Ramirez and Castaneda have said, "the way a person communicates, relates to others, seeks support and recognition from his environment (incentive motivation) and thinks and learns (cognition) is a product of the value system of his home and community."[8] It therefore seems reasonable for schools to build upon the strengths of the environment and culture from which a child of limited English-speaking ability comes rather than to plunge the child immediately into an unfamiliar school setting with conventions and values which may be distinctly different from those to which he/she has been accustomed.

Finally, there is the obvious point that when the native language is used, children can begin to learn subject matter immediately upon entry into school. This is a desirable end in its own right. However, there may also be an indirect effect in that by not falling behind their English-dominant peers, positive self-images of limited-English-speaking students may be preserved.

In sum, educators and other experts probably cannot completely agree upon a pedagogical rationale for bilingual education. However, this state of affairs should not be surprising given that current understanding of human learning processes is quite undeveloped. Advocates of bilingual education have, however, suggested a number of plausible reasons why the two-language approach might be effective; the cause of limited-English-speaking persons in the United States would be advanced by more empirical research on the theoretical foundations of bilingual education.

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[7] Paulston, C. B. "Implications of Language Learning Theory for Language Planning: Concerns in Bilingual Education." Papers in Applied Linguistics, Bilingual Education Series, 1. Arlington, Virginia: Center for Applied Linguistics, 1974.

[8] Ramirez, M., and Castaneda, A. Cultural Democracy, Bicognitive Development and Education. New York: Academic Press, 1974

IV

QUANTIFYING THE NEED FOR BILINGUAL EDUCATION

INTRODUCTION

There are presently no hard data with which to make direct[1] estimates of the need for bilingual education. That is, there has been no count of the number of persons in the Nation who have limited English-speaking ability. However, data do exist which can be used to place a reasonable upper bound on the number of persons who might have difficulty speaking and understanding English. Moreover, work is underway to get better estimates in accordance with the congressional requirements.

This First Report on the Condition of Bilingual Education in the Nation uses certain parts of the Survey of Languages supplement to the Current Population Survey, conducted by the Bureau of the Census in July 1975, as a basis for population estimates. The Second Report will draw upon a special survey conducted in the spring of 1976, and will be directly responsive to the legislative requirement. A description of the second survey is given in Appendix A. The estimates in the present report are offered as preliminary data for use until the more definitive findings become available.

THE SURVEY OF LANGUAGES

A Survey of Languages was conducted by means of a special supplement to the Current Population Survey (CPS) of July 1975. The CPS is a household survey conducted monthly by the Bureau of the Census for the Bureau of Labor Statistics. Its primary purpose is to obtain national estimates of the labor force status of the United States population. A number of special questions about language use were added to the July 1975 CPS by the National Center for Education Statistics.

Approximately 42,000 households in every State and the District of Columbia responded to the questions about language. The data were collected by trained interviewers who conducted 10 to 15 minute interviews with responsible adult household members. Each respondent supplied information about himself/herself and all other household members 4 years of age and older. Although there was no direct measurement of limited English-speaking ability, questions were asked about place of birth, language spoken in the household, and the usual language spoken by each of the individuals in the household. Answers to these questions were then analyzed to draw inferences about the number of limited-English-speaking persons in the country. More details about the survey may be found in Appendix B.

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[1] A direct estimate implies the use of objective (psychometrically valid) measures as opposed to subjective, opinion-based measures usually associated with household interviews or school-based, teacher judgments.

The Bilingual Education Act provides the following definitions:

(1) The term "limited English-speaking ability," when used with reference to an individual, means—

(A) individuals who were not born in the United States or whose native language is a language other than English, and

(B) individuals who come from environments where a language other than English is dominant, as further defined by the Commissioner by regulations and, by reasons thereof, have difficulty speaking and understanding instruction in the English language.

(2) The term "native language," when used with reference to an individual of limited English-speaking ability, means the language normally used by such individuals, or in the case of a child, the language normally used by the parents of the child. (Section 703(a), Bilingual Education Act, Title VII, Elementary and Secondary Education Act, as amended by Public Law 93-380).

The law thus suggests that there are three kinds of individuals who may have limited English-speaking ability, namely, those who (1) usually speak a language other than English, (2) come from an environment where a language other than English is dominant, or (3) are foreign-born.

An individual in any one of these categories does not necessarily have a limited command of English. For example, some foreign-born persons come from countries where the predominant language is English and are therefore likely to be proficient in English. (The 1970 Census indicates that about 10 percent of the foreign-born population was from the United Kingdom and Ireland. Another 8 percent came from Canada, though a part of this grouping would be predominantly French-speaking.) The point is, however, that persons in the three categories set forth in the law should include almost all persons with limited English-speaking ability (and, of course, some who can get along quite well in English). A count of such individuals should put an upper limit on the number of persons with limited English-speaking ability. This upper limit will be called (somewhat inaccurately) the non-English language background population, and a count of that population is what the Survey of Languages provides.

There are two complicating factors, however. The first is that a given individual may belong in one, two, or all three of the categories. This is not really a problem except when it comes to describing the results; then it makes matters somewhat complex. The second factor is more difficult to cope with. The problem here is with the second category—persons coming from an environment where a language other than English is dominant. What exactly does that mean?

The approach taken in the Survey of Languages is to regard a person's household as the best indicator of the linguistic environment and to ask two questions about language used in the household: (1) What language is usually spoken in the household? (2) What other language, if any, is spoken in the household? Having the answers to both of these questions permits some flexibility in dealing with the second category.

To summarize up to this point: The main analysis of the Survey of Languages consists of tabulating the answers to four basic questions (paraphrased): (1) What is the usual language spoken in the household? (2) What other language is spoken in the household? (3) What is the place of birth for each individual in the household? (4) What is the usual language spoken by each individual in the household?[2] The answers to these questions can provide an estimate of the size of the non-English language background population. Two ways of analyzing the data are described below.

The first estimate is the count of all individuals who fall into one of the following categories:

1.	Persons who usually speak a language other than English	7,255,000
2.	Persons (other than the above) who live in households where the usual household language is not English	1,287,000
3.	Persons (other than the above) who live in households where the usual household language is English but where another language is spoken	15,836,000
4.	Additional foreign-born persons not included above	3,311,000
5.	All others for whom a language other than English is the usual household language or the individual's language, or who are foreign-born	231,000

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[2] This question was aked only if a non-English language was spoken in the household.

6.	Persons for whom the usual household and individual language was not reported but who live in a household where a non-English language is spoken and who are native-born	735,000
		28,655,000

Examination of the individual categories is helpful in judging the number of limited-English-speaking persons likely to be found in this population. It may be supposed that many, perhaps most, of the persons in the first category would have limited English-speaking ability. The persons in the second category usually speak English but come from an environment where a language other than English is usually spoken, so some of them may have limited English-speaking ability. The third category is much more problematic. Persons in this category usually speak English and come from households where English is dominant, but where another language is also spoken. It seems likely that most of these people would not have problems conversing in English. The fourth category is composed of "additional" foreign-born persons—that is, those who live in households where only English is spoken. It is unlikely that many of these persons are of limited English-speaking ability. The fifth category is comprised of a small population of which many members are probably limited in English-speaking ability. The final category includes cases for which some data are missing and which are therefore difficult to assess in terms of language proficiency.

Overall, it is likely that a substantial number of persons in this population are not limited in their English-speaking ability; consequently this estimate will be referred to as the Broad Estimate. However, by being broad, this population, which totals almost 28 million, must certainly include almost everyone of limited English-speaking ability.

A second estimate of the non-English language background population is based upon the following categories:

1.	persons who usually speak a language other than English	7,255,000
2.	persons (other than the above) who live in households where the usual language is not English	1,287,000
3.	foreign-born persons not included above	6,424,000
4.	all others for whom a non-English language is the usual household language or the individual's language, or who are foreign-born	231,000
		15,197,000

Categories 1 and 2 are the same as in the preceding list of categories—many people in them probably have limited English-speaking ability. Category 3 includes foreign-born persons in circumstances where probably few have limited English-speaking ability. Category 4 probably includes many limited-English-speaking persons.

For ease of reference, this estimate will be known as the Narrow Estimate even though many people in category 3 are probably not limited-English speakers. On the other hand, the Narrow Estimate does not include persons residing in households in which the usual language is English, but in which a non-English language may be spoken. Quite possibly, some of them would have limited English-speaking ability. All things considered, it seems likely that, of the two estimates, the Narrow Estimate is the more reasonable. This estimate, which gives a population of 15 million, also seems to correspond closely to what the legislation defines as the preconditions for limited English-speaking ability. It will be used in the rest of this report.

SIZE OF THE POPULATION BY AGE GROUPS

The sizes of several important age groups are summarized below:[3]

Age	Number of Persons
4-5	481,000
6-18	3,118,000
19 and over	11,597,000
	15,196,000

Thus, the number of persons of school age (preschool, elementary and secondary) is about 3.6 million. Since the total school age population 4 through 18 years of age is about 57.8 million, this means that 6 percent of the total have a non-English language background. This analysis also shows that 76 percent of the persons with a non-English language backgound are 19 and over. For persons of school age, the need for education can perhaps be best met by bilingual education. For persons 19 and older, it may be assumed that many are not seeking further education, but for those that are, bilingual education may again be the best response.

SIZE OF THE POPULATION BY LANGUAGE GROUPS

The next point of interest is the prevalence of various languages among the non-English language background population. Table 1 shows the number of persons in each language covered by the Survey of Languages.

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[3] The sum by age groups does not quite correspond to the total given earlier because of round-off error.

TABLE 1
SIZE OF POPULATION BY LANGUAGE GROUPS

Persons Whose Usual Household Language Is Not English, or Whose Usual Individual Language Is Not English, Including Persons Born Outside the United States, and Foreign-born Persons Not Included in These Groups, by Language Background and Age Group: United States, July 1975.

HOUSEHOLD LANGUAGE BACKGROUND	Total	by selected age group (in thousands)						
		4-5	6-18	6-13	14-18	19-25	26-50	51 & over
Total persons	15,197	481	3,118	2,003	1,114	1,540	5.145	4,912
Selected European								
French	624	7	94	47	47	70	192	263
German	760	10	85	57	29	53	269	342
Greek	248	3	45	33	13	18	93	83
Italian	993	15	126	86	39	56	257	541
Portuguese	188	10	44	23	21	7	78	50
Spanish	5,851	301	1,834	1,249	586	706	2,092	916
Selected Asian								
Chinese	411	17	70	38	33	62	161	101
Filipino	292	5	87	56	30	19	120	61
Japanese	216	8	26	19	7	14	103	64
Korean	179	15	48	37	10	14	78	22
Other	2,076	40	222	139	82	180	702	931
Foreign born and others whose language background is not determined	3,359	50	437	220	216	338	1,000	1,531

Note: Estimates of less than 50 thousand persons are not considered statistically reliable and are expected to change considerably as a result of further surveys and analysis by the National Center for Education Statistics. A report to the Congress on the results is due July 1, 1977, and will be used in a second report on The Condition of Bilingual Education in the Nation, due February 1, 1978.

The table clearly shows that the Spanish language is by far the most common non-English language spoken in the United States, both in total and across all age categories. For example, an estimated 5.9 million persons 4 years of age and older usually speak Spanish or live in a household where Spanish is the dominant language. Some 2.1 million of them are of school age, 4 through 18. Among the population for which a language is identified,[4] Spanish thus accounts for 49 percent of the overall population and 69 percent of the school-age group. Italian is the next largest language group, but it accounts for only 7 percent of the overall total and 4 percent of the school-age group. Other than Spanish, just five languages are represented by more than 50,000 persons each in the school-age population: Italian, French, Filipino, German and Chinese.

SUMMARY

A survey of 42,000 households in 1975 provides the basis for estimating the number of persons, age 4 and older, with a non-English language background. This estimate, which may be regarded as an upper limit to the number of limited-English-speaking persons in the Nation, is about 15 million. The corresponding school-age population, 4 through 18, numbers 3.6 million.

Aside from adult education or postsecondary education, the number of persons who might benefit from bilingual education should be somewhat less than 3.6 million. A special 1976 survey should provide more precise estimates. The number of limited-English-speaking persons over 18 who are seeking further education and therefore might benefit from bilingual education is not known.

Among persons likely to have limited English-speaking ability, Spanish is by far the most prevalent language—49 percent of the group 4 years of age and over, 69 percent of the school-age group. No other single language accounts for more than 7 percent and 4 percent, respectively. Of the 15 million, the Spanish language was represented by over 5.8 million, and all other languages accounted for about 6 million. For over 3.3 million persons in the 15 million total, the dominant language was either English or was not determined.

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[4] The last row in Table 1 indicates the number of persons for whom no language was identified.

V

RESOURCES REQUIRED TO MEET THE EDUCATION NEEDS OF LIMITED-ENGLISH-SPEAKING PERSONS

INTRODUCTION

In the previous chapter, estimates were made of the upper limit of the number of limited-English speakers in the Nation. It was also indicated that more precise data are being gathered and that the results will be reported in the Second Report on the Condition of Bilingual Education in the Nation.

To determine the resources required to meet needs, there are other data problems. There are no good estimates of human and material resources presently available for meeting the education needs of limited-English speakers. Although it is reasonably clear that there are not enough bilingual education teachers or instructional materials, limitations in the data prevent quantification of these shortages. The approach, then, is to determine the upper bounds of the needs. The Second Report will provide more precise estimates of the size of the resource shortages and estimates of the costs of eliminating the shortages.

Based on the Survey of Languages as reported in the previous chapter, the number of persons of school age who might benefit from bilingual education should be less than 3.6 million persons. There are an additional 11.6 million persons 19 and over, but resource estimates will not be made for that population at this time because it is not known how many are seeking further education.

TEACHERS

To estimate the number of teachers needed for elementary and secondary education, several assumptions must be made. They are summarized below:

(1) The size of the target population is 3.6 million limited-English-speaking children distributed among languages as indicated by table 1 in chapter IV. That is, the current upper limit of the target population is taken as the estimate of the population size over the next few years.

(2) Twenty percent of the target population will be so isolated that bilingual programs will not be feasible for them. This accounts for situations where there are very few limited-English speakers in a given school at a given grade level.

(3) In the average bilingual classroom, the ratio of non-English dominant to English dominant students is 3:1. This, of course, increases the number of teachers required but avoids segregating the non-English dominant students. There is some limited evidence that the current ratio is smaller.

(4) The average pupil-teacher ratio is 24.1:1 in elementary schools. This number is used as a surrogate for average classroom size which is more desirable but not available. The average classroom size is always somewhat larger than the pupil-teacher ratio.

(5) The average pupil-teacher ratio is 19.8:1 in secondary schools and one out of every three teachers of limited-English-speaking students is bilingual.

With these assumptions, it is possible to estimate the number of bilingual classrooms required and therefore the number of bilingual teachers needed. The results are given by language in table 2. In considering the estimates, it is important to remember that unknown numbers of persons are presently working as bilingual teachers, are available and qualified for such jobs, or are in college, training to teach bilingually. To estimate the size of the teacher shortage at some time in the future, it will be necessary to make estimates of the number of teachers likely to be available and subtract from the numbers in table 2. Such estimates will be made in the Second Report on the Condition of Bilingual Education.

With the assumptions given, it is estimated that 129,000 bilingual education teachers are needed to meet the needs of the target population. The two most striking features of table 2 are that, of the total teachers required, 61 percent are needed for the Spanish language, and 84 percent of the total required are at the elementary school level. The large numbers for "other" indicate that many teachers are needed for the many languages which occur with relatively low frequency in the population. This is supported by the fact that the ESEA Title VII program operates projects in 44 languages, of which only 10 are reported on table 2. Thus, there are 34 other languages, and probably many more than that, for which bilingual education teachers are needed. It seems likely that the number of teachers required, at least for the 10 languages reported in table 2, are of sufficiently large numbers to merit special programs designed to prepare bilingual education teachers.

TEACHER TRAINING PROGRAMS

The need for 129,000 bilingual education teachers means a potentially large market for properly trained persons. The market is potential because it cannot be assumed that school districts will seek to hire as many bilingual teachers as may be needed. However, it does appear that the demand for bilingual teachers will grow and the next question is: Where will they come from?

TABLE 2

NUMBER OF TEACHERS REQUIRED TO MEET THE NEEDS OF LIMITED-ENGLISH-SPEAKING PERSONS IN THE SCHOOL-AGE POPULATION

Language	Elementary[1]	Secondary[2]	Total
Spanish	67,760	10,523	78,283
Italian	4,415	700	5,115
German	2,929	521	3,450
Filipino	2,667	539	3,206
Chinese	2,404	593	2,997
French	2,361	844	3,205
Korean	2,273	180	2,[illegible]53
Greek	1,792	233	2,025
Portuguese	1,443	377	1,820
Japanese	1,180	126	1,306
Other[3]	19,628	5,351	24,979
Total	108,852	19,987	128,839

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[1] Elementary is defined for purpose of this table as ages 4-13 inclusive.

[2] Secondary is defined as ages 14-18 inclusive.

[3] This category was based upon persons whose language was not determined or for whom the language reported was not one of the 10 reported individually in the table.

A survey conducted by the National Center for Education Statistics in 1975-76 found 218 institutions of higher education offering some form of training in bilingual education for elementary and secondary schools. A breakdown by language and type of training is given in table 3. The offerings in these institutions range from a few specialized courses to complete programs offering degrees or certificates in bilingual education. A followup survey is underway to classify the institutions more exactly and to estimate the number of bilingual teachers emerging from their programs. The results will be presented in the Second Report on the Condition of Bilingual Education.

In the meantime, the Office of Education is taking steps to increase the capacity of institutions of higher education to train bilingual teachers by providing title VII grants to institutions to stimulate them to establish or improve bilingual education departments. In 1976 it is planned to award Program Development Grants to about 40 institutions of higher education at a maximum of $100,000 each.

In addition to grants to institutions, in 1976, 38 institutions in 16 States were selected to award Office of Education fellowships to bilingual education teacher trainers. Approximately $4 million is being provided for approximately 670 fellowships to master's or doctoral candidates to qualify them to train others as bilingual education teachers. Ten languages are represented in the fellowship program.

Most title VII training funds are used for preservice or inservice training. Preservice traineeships for approximately 856 undergraduate or graduate students planning to serve in local school system bilingual education programs will be awarded in 1976 at a maximum cost of $3,500 per trainee, for a total of $2,995,000. In addition $9,375,000 is budgeted for inservice training of staff associated with local classroom projects. It is anticipated that about 25,000 persons will receive training in this program. The number of Resource Training Centers will be expanded to 13 in 1976 at a cost of $5,000,000. A major function of these centers is to provide training to local project staff based on a needs assessment. It is anticipated that about 8,600 persons associated with local projects will receive training in the next school year.

TABLE 3

NUMBERS OF INSTITUTIONS OF HIGHER EDUCATION TRAINING BILINGUAL EDUCATION PERSONNEL, BY LANGUAGE AND LEVEL OF ASSIGNMENT, 1975-76

	Elementary/Secondary				Postsecondary	
	Teachers	Supervisory & Administrative	Special Personnel[1]	Other[2]	Teachers	All Others
Asian[3]	21	3	4	4	10	2
Native American	16	3	7	12	4	2
Spanish	155	25	33	46	33	14
Other European[4]	26	3	4	3	8	1
TOTAL	218	34	48	65	19	30

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[1] Support Staff, including counselors, psychologists, librarians, etc.

[2] Primarily teacher aides

[3] Chinese, Filipino, Japanese, and Korean

[4] French, German, Greek, Italian, Portuguese, and Russian

BILINGUAL INSTRUCTIONAL MATERIALS

Bilingual instructional materials are, like teachers, generally in short supply. Apparently because of the limited market, commercial educational publishers have until recently hesitated to commit themselves to development costs. In the past few years, some Spanish/English materials have become commercially available, but the small size of the target populations in other languages will probably cause publishers to proceed cautiously, if at all.

To deal with problems of the small market, the Federal Government, primarily through the Office of Education and the National Institute of Education, has supported development of bilingual materials. For example, since 1969, over $21 million in ESEA Title VII funds have been spent in the development and dissemination of materials. Although the greatest development has been in Spanish, materials are also being developed in French, Portuguese, Greek, Italian, several Asian languages, and many Native American languages. Most of these materials are not yet ready for widespread classroom use.

Two other sources of materials for schools are possible. Commercial materials developed in foreign countries are sometimes available. However, they may have limited usefulness because the content or language form is somewhat inappropriate for United States schools. Materials may also be developed in the local school districts. Although limitations of funds and qualified curriculum developers tend to severely constrain local development, this approach may be appropriate for supplementary materials and may be the only feasible approach for the less common Native American languages.

To date there has been no good compendium of bilingual instructional materials available. This lack will be partially remedied soon by publication of a study, sponsored by the National Institute of Education, of materials available in five languages. It will later be supplemented by an ongoing Office of Education study which will extend the scope to include additional languages and describe materials under development as well as those already available.

Although the overall dimensions of the materials shortage problem will be brought into clearer focus by the above studies, the Federal Government, as noted earlier, is moving to fill some of the gaps. Materials either developed or under development in Federal projects include:

- Curriculum for grades K-3 in Greek and Italian
- Social studies, math, science, and fine arts materials for grades 6-9 in Spanish
- A multimedia social studies program in Spanish and English
- Navajo curriculum for grades K-6

- The first Navajo-English dictionary
- Materials in Chinese, Japanese, Korean, Filipino, and Samoan for prekindergarten through grade 3
- Materials in French and Portuguese for grades K-6
- Criterion-referenced tests for Spanish children in grades 1-6.

In 1975, the Office of Education funded a network of centers to develop, test, and disseminate bilingual materials. Until that time, developmental activities had been carried out by a few centers and by local school districts. The network of centers concentrates the developmental activities in a more intensive and extensive manner and promises more systematic development of higher quality materials. The network will be expanded as necessary to fill identified needs.

VI

BILINGUAL EDUCATION PROGRAMS

INTRODUCTION

The purpose of this chapter is to describe education programs carried out in behalf of persons of limited English-speaking ability. While the emphasis is upon bilingual programs, information about other activities designed to meet the needs of the target population has also been included to present a more complete picture.

Fourteen Federal programs, which probably are most directly concerned with meeting the special educational needs of limited-English speakers, are discussed. Some of these programs, such as ESEA Title VII and ESAA, have legislative requirements to support bilingual education. Other programs, such as ESEA Title I and Right to Read, were not designed specifically to provide bilingual education but may of course do so as necessary to accomplish their own objectives.

Another way in which Federal programs differ is in the way they are administered. Some, such as ESEA Title VII, are discretionary grant programs: the Office of Education makes a direct grant to a local school district. With such a program, it is relatively easy to pursue a particular educational strategy and, since the Office of Education administers the programs, substantial information is available about program activities. At the other extreme are large programs like ESEA Title I or Vocational Education, which have broad purposes and are administered by the States. The Federal administrative role is quite limited, and the emphasis placed upon a particular educational approach such as bilingual education varies considerably among the States. Also, in State administered programs, little is known about the exact nature of the activities or what kinds of children benefit: data reporting requirements are minimal in keeping with the limited Federal role. One side effect of the differing administrative modes is that the apparent importance of various programs for limited-English speakers is distorted by the relative amounts of information available. Thus it is possible for a large program like ESEA Title I to have a great but unknown (and therefore unreported here) impact upon bilingual education.

The number of State programs for bilingual education has increased gradually over the years, but little is currently known about their scope or the number of persons served. Available information is presented in this chapter, but a thorough treatment must await the Second Report, which will include the results of an ongoing study of State programs.

Bilingual education programs offered and financially supported by local school districts are an unknown factor. It is hoped that a study planned for school year 1976-77 will throw light on the extent to which the needs of school-age, limited-English speakers are met by local programs. At this time, however, data are not available.

Television affords the opportunity to expose a large number of people to bilingual education in at least a minimal way and at relatively low cost. It also offers a partial solution to the shortage of qualified bilingual educators. This chapter looks at the programs currently offering bilingual instruction.

BILINGUAL EDUCATION ACT, ESEA TITLE VII

It is currently estimated that approximately 3.6 million school-age children in the United States have a non-English language background. This number includes children from homes where a language other than English is spoken and children who were foreign-born or whose parents were foreign-born.

To provide an equal educational opportunity to children of limited English-speaking ability, and to help local education agencies (LEA's) start programs to meet the needs of these children (3 to 18 years of age), Congress in 1968 enacted Title VII of ESEA (the Bilingual Education Act), which encourages the establishment and operation of educational programs using bilingual education practices, techniques, and methods at the elementary and secondary levels; encourages training of persons planning to participate or already participating in such programs; and encourages curriculum reform and innovation. The act authorizes the Commissioner to provide financial assistance for the following activities:

- discretionary grants to local educational agencies or to institutions of higher education (including junior or community colleges) applying jointly with one or more local educational agencies for the development and demonstration of bilingaul education programs.

- grants or contracts to carry out training activities by (a) institutions of higher education (IHE's) which apply, after consultation with, or jointly with one or more local educational agencies; (b) local educational agencies; and (c) State educational agencies (SEA's).

- the establishment, publication, and distribution by the Commissioner of suggested models of bilingual education with respect to pupil-teacher ratios, teacher qualifications, and other factors affecting the quality of instruction offered in such programs.

- fellowships for study in the field of training teachers for bilingual education.

- development of materials, curriculums, and other steps leading to the development of bilingual education programs.

- reform, innovation, and improvement in graduate education and in the structure of the academic profession.

In addition, this title authorizes the Commissioner to make payments to the Secretary of the Interior to carry out programs of bilingual education for Indian children on reservations served by elementary and secondary schools operated by the Department of Interior.

School districts and other applicants apply directly to the U.S. Office of Education for grants. Applicants submit proposals which are judged on the basis of the need for bilingual education, the quality of the proposed educational approach, and the quality of the plans for administering and evaluating the project. Proposals must include provisions for the participation of children from nonpublic schools and for participation by parents and other community members.

Program Philosophy

The philosophy underlying this legislation holds that children with limited English-speaking ability can be guided from the "known to the unknown." This guidance involves instruction in the dominant language while helping the youngster gain competence in the English language. The bilingual education technique, then, makes use of two languages: English, and the one the child uses at home.

This approach does not involve mere translation; instead it uses the languages interchangeably, one at a time, often at different times of the day. The student performs drills in listening, speaking, reading, and writing, in both languages, learns the history and culture associated with both languages, and acquires the skills and knowledge necessary to academic development and progress, regardless of language.

Bilingual education is not viewed as a compensatory effort. Although instruction in English as a second language is a necessary part of instruction, it is not sufficient to establish a bilingual education program. A bilingual education program recognizes the need to provide instruction in native language and cultural skills to the extent necessary to enable a child to progress effectively through the educational system. It values cultural differences; it values the learning the child receives at home and in the community; and it values languages as a transmitter of culture.

Program Budget and Scope

Since its inception, the appropriations for bilingual programs under ESEA Title VII have grown from $7,500,000 to $96,270,000 in 1976.

Table 4 shows the scope of the program for those years.

An examination of the table indicates that from fiscal year 1975 appropriations, a total of $84,825,274 was obligated. This amount includes $52,836,176 awarded to LEA's for 319 classroom demonstrations, of which 68 were new starts. An estimated total of 162,124 students benefited directly from these demonstrations. Projects are located in 35 states, the District of Columbia, Puerto Rico, the Trust Territory of the Pacific Islands, and the Virgin Islands. The demonstrations cover 44 languages, including 17 Native American, 17 Asian and Pacific, and 10 Indo-European languages. An amount of $5,245,416 supported the inservice training of 13,985 personnel associated with these demonstrations. Additionally, $6,546,000 supported preservice traineeships for 3,273 personnel.

Table 4 also shows that for 1976 approximately $59,364,000 will be awarded to LEA's for about 425 classroom demonstrations, of which 176 will be new starts, and serving about 190,000 students. Approximately $10,231,800 will be committed for inservice training of about 30,000 personnel associated with classroom demonstrations. In addition, it is anticipated that $3,275,000 will be obligated for supporting preservice traineeships for about 856 personnel.

Other program funds supported graduate fellowships and grants to institutions of higher education to develop or expand and improve their bilingual education training capabilities. They also supported a network of centers to assist funded projects and to develop, assess, and disseminate instructional materials and information. The training and centers network components of the program are discussed further in the remaining sections of this chapter.

This program is forward funded. Consequently, funds appropriated and obligated in one fiscal year are used by grant and contract recipients the succeeding year, e.g., fiscal year 1976 funds will be used by recipients during fiscal year 1977, i.e., academic year 1976-77.

TABLE 4

FUNDING HISTORY OF ESEA TITLE VII BILINGUAL PROGRAMS 1969-1976[1]

	1969	1970	1971	1972
TOTAL AUTHORIZATION	$30,000,000	$40,000,000	$80,000,000	$100,000,000
TOTAL APPROPRIATION	$ 7,500,000	$21,250,000	$25,000,000	$ 35,000,000
TOTAL OBLIGATED FOR PROGRAMS	$ 7,469,966	$21,185,110	$24,863,846	$ 33,506,433
TOTAL NUMBER OF PROJECTS	76	131	164	217
AVERAGE COST PER PROJECT	$ 98,289	$ 162,000	$ 155,318	$ 154,407
TOTAL OF CHILDREN SERVED[2]	26,521	51,918	83,748	108,816
AVERAGE PER PUPIL COST	$282.00	$408.00	$297.00	$308.00
TOTAL INSERVICE COSTS	-0-	-0-	-0-	-0-
NUMBER TRAINED	-0-	-0-	-0-	-0-
TOTAL FOR GRADUATE FELLOWS	-0-	-0-	-0-	-0-
NUMBER OF RECIPIENTS	-0-	-0-	-0-	-0-
TOTAL FOR PROGRAM DEVELOPMENT	-0-	-0-	-0-	-0-
NUMBER OF AWARDS	-0-	-0-	-0-	-0-
TOTAL FOR RESOURCE CENTERS	-0-	-0-	-0-	-0-
NUMBER OF CENTERS	-0-	-0-	-0-	-0-
TOTAL FOR MATERIALS DEVELOPMENT & ASSESSMENT & DISSEMINATION CENTERS	-0-	-0-	-0-	-0-
NUMBER OF CENTERS	-0-	-0-	-0-	-0-

See footnotes at end of table.

TABLE 4 (con't)

FUNDING HISTORY OF ESEA TITLE VII BILINGUAL PROGRAMS 1969-1976

	1973	1974	1975	1976 (estimates)
TOTAL AUTHORIZATION	$135,000,000	$135,000,000	$135,000,000	$140,000,000
TOTAL APPROPRIATION	$ 45,000,000	$ 66,350,000	$ 85,000,000	$ 96,270,000
TOTAL OBLIGATIONS	$ 33,249,418	$ 67,235,681	$ 84,825,274 3/	$ 96,270,000 4/
TOTAL NUMBER OF PROJECTS	209	380	319	425
AVERAGE COST PER PROJECT	$ 159,088	$ 176,936	$ 165,630	$ 139,680
TOTAL OF CHILDREN SERVED	129,280	339,595	162,124	190,000
AVERAGE PER PUPIL COST	$257.00	$198.00	$326.00	$312.00
TOTAL INSERVICE COSTS	-0-	-0-	$ 5,245,416	$ 10,231,000
NUMBER TRAINED	-0-	-0-	13,985	30,000
AVERAGE COST PER TRAINEE	-0-	-0-	$375.00	$341.00
TOTAL FOR PRESERVICE TRAINEESHIPS	-0-	-0-	$ 6,546,000	$ 3,275,000
NUMBER TRAINED	-0-	-0-	3,273	750
TOTAL FOR GRADUATE FELLOWS	-0-	-0-	$ 3,000,000	$ 4,000,000
NUMBER OF RECIPIENTS	-0-	-0-	474	708
TOTAL FOR PROGRAM DEVELOPMENT	-0-	-0-	$ 3,790,000	$ 6,000,000
NUMBER OF AWARDS	-0-	-0-	35	100
TOTAL FOR RESOURCE CENTERS	-0-	-0-	$ 3,560,583	$ 5,000,000
NUMBER OF CENTERS	-0-	-0-	7	16
TOTAL FOR MATERIALS DEVELOPMENT & ASSESSMENT & DISSEMINATION CENTERS	-0-	-0-	$ 6,270,102	$ 7,000,000
NUMBER OF CENTERS	-0-	-0-	12	16
AWARDS TO STATE DEPARTMENTS OF EDUCATION	-0-	-0-	-0-	$ 1,200,000
NUMBER OF AWARDS	-0-	-0-	-0-	38

1/ With the exception of the authorization and appropriation, all totals are estimated figures.

2/ These are estimated figures of children served.

3/ Includes $54,000 for the Advisory Council; $730,000 for a needs assessment; and $2,797,997 for Vocational Education Training.

4/ Includes $100,000 for the Advisory Council and $100,000 for planning of bilingual education clearinghouse.

Models for Bilingual Education

The Office of Education, through a contract with the American Institutes for Research (AIR), identified four bilingual projects that could serve as models for project planners and managers elsewhere. In order to be considered as models, the projects were required to include instruction in English language skills for children limited in those skills, instruction in the customs and cultural history of the child's home culture, and instruction in the child's home language to the extent necessary to allow him to progress effectively through school. In terms of effectiveness, project participants had to show statistically and educationally significant gains in English language skills, as well as in subjects taught in the home language. The project had to have clearly definable and describable instructional and management components.

Candidates for the search came from program staff of ESEA Title VII and of other ESEA and ESAA titles which support bilingual education projects; from the files of previous searches for effective projects; and from State bilingual education officials, school districts, and regional educational laboratories.

The bilingual project models identified by AIR and approved by the Dissemination Review Panel of the Office of Education as appropriate for national dissemination follow:

(1) Bilingual Education Program
Alice Independence School District
Alice, Texas

Spanish - In 1973-74 the project served 528 children in grades K-4 in four schools.

(2) Aprendemos en Dos Idiomas
Title VII Bilingual Project
Corpus Christi Independent School District
Corpus Christi, Texas

Spanish - In 1973-74 the project served 519 children in grades K-3 in three schools.

(3) Bilingual Education Program
Houston Independent School District
Houston, Texas

Spanish - In 1973-74 the project served 1,550 children in grades K-12 in 8 elementary schools, one junior high, and one high school. (Validation of the program was for grades K-4 only.)

(4) St. John Valley Bilingual Education Programs
Maine School Administrative District #33
Madawaska, Maine

French - In 1973-74 the project served 768 children in grades K-4 among the three school districts that cooperate in the project.

Such identification of the above models is within the language of Public Law 93-380, which obliges the Commissioner of Education to "...establish, publish, and distribute, with respect to programs of bilingual education, suggested models with respect to pupil-teacher ratios, teacher qualifications, and other factors affecting the quality of instruction offered in such programs."

Thorough descriptions of the projects are being distributed through the Title VII Resource Centers in order to provide educators with models and ideas for implementing similar practices in bilingual education. The project descriptions will include information on the context in which the projects have been developed and have operated, and the educational needs of those district's children, which the projects have helped to meet. The project descriptions serve as a source of ideas for project planners, teachers, administrators, school boards, and PTA's. Also, they are the starting point for the development of Project Information Packages for each of the four projects, providing educators with complete information and guidance toward rapid development of nearly identical projects in school districts elsewhere. The Project Information Packages are produced as part of the Office of Education's "Packaging and Dissemination" Program, which operates under the authority of the Special Project Act in Title IV of Public Law 93-380 (Education Amendments of 1974). Plans are being made by the Office of Education to field test the Bilingual Project Information Packages in schools in 1977-78.

The variations in concentrations of limited-English-speaking-ability children in a district, the number of different languages involved, the ages of the youngsters, the degree of native language competency, and the degree of English language competency suggest that different model approaches may be appropriate in different situations. Hopefully, through ESEA Title VII grants for demonstrating various models of bilingual education, the appropriate models will be discovered for different groups of children who have non-English language and cultural backgrounds.

Building Capacity for Bilingual Education

The Bilingual Education Act, as amended, and the rules and regulations established to carry out the Act reflect, in part, the experience of the program's operation and the results of formal evaluations conducted at the national level by the Office of Education and at the local level by the title VII projects. Program evaluations have consistently pointed to two areas in which there are critical shortages of the resources needed to implement effective programs. One shortage pertains to adequately trained teachers for bilingual education; the other refers to appropriate curricular materials for those programs. The Office of Education's response, called the "capacity-building" strategy, uses significant amounts of title VII program resources to:

(1) encourage the training of teachers for bilingual education projects and of training the teachers of those teachers

(2) promote the materials-development, materials-dissemination, and technical assistance aspects of the national program.

—Teacher Training. While the classroom demonstration projects have always included some inservice training and curriculum development, they reach only a small number of students. The Education Amendments of 1974 emphasized training needs by requiring that $16 million of the first $70 million appropriated be used for training, and that one-third of the amount above $70 million be similarly earmarked. These funds should increase the capacity of the Nation's education system to serve the special needs of the non-English speaking student.

It is estimated that almost 129,000 bilingual teachers will be required to meet the needs of the English-language-deficient target population. (The basis for this estimate is explained in Chapter V.) While the exact number of bilingual teachers now available is not known, a large shortage is believed to exist. Toward correcting this deficiency, approximately $22 million was allocated to LEA's and institutions of higher education in 1975 and $23 million in 1976 to support a variety of training programs. These training programs include:

(1) INSERVICE TRAINING - In connection with ongoing classroom projects, $5.2 million in 1975 and $10.2 million in 1976 funds will provide training for about 14,000 administrators, parents, counselors, teachers, and aides participating in 1975 funded projects and about 30,000 such participants in 1976 funded projects.

(2) SCHOLARSHIPS - About $6.5 million in 1975 funds provided traineeship stipends to 3,273 personnel preparing for participation in local bilingual education projects. About $3.2 million in 1976 funds will provide stipends for 750 trainees. These awards, made by the LEA's, assist recipients achieve degrees and/or accreditation in the field of bilingual education.

(3) GRADUATE FELLOWSHIPS - In fiscal year 1975 a total of 474 fellowships were awarded through 30 universities in 13 States at a cost of $3 million. It is anticipated that $4 million in 1976 funds will support about 700 awards. This program is designed to increase the supply of, and provide additional graduate training for, trainers of teachers in bilingual education programs in institutions of higher education. These, in turn, will provide a resource for increasing the number of bilingual education teachers available for local school system projects.

(4) PROGRAM DEVELOPMENT - Grants in the amount of $3.8 million in 1975 to 35 institutions of higher education and $6 million in 1976 to 100 institutions will support the development of their bilingual education training capabilities.

Resource Centers, discussed below, are another training resource. Seven such centers were supported with $3.6 million in 1975 funds, and it is anticipated that about 16 centers can be funded with $5 million in 1976 funds.

—Centers Network. In the past, the development of materials was largely a local responsibility with the exception of a few materials development centers. The materials developed by these centers were limited and disseminated through infrequent conferences, as well as by informal means.

Under the new law, USOE's Office of Bilingual Education is able to operate a larger network of centers. There are three types: Resource Training Centers, which provide immediate services to LEA's; Materials Development Centers, which provide materials in the language of the target groups being served; and the Dissemination and Assessment Centers, which assess, publish, and distribute the materials developed.

Resource Training Centers are primarily responsible for (a) providing direct services to classroom teachers within funded local educational agencies and institutions of higher education and (b) coordinating services with State education agencies (SEA's). After the initial funding period from fiscal year 1975, funding priorities concentrate on program planning, staffing, and development of procedures. Resource Training Center services are expanding the scope of their services to include technical assistance in program planning and operation, evaluation of programs, materials utilization, staff development, and dissemination of information on effective program practices and procedures. In addition, the Resource Training Centers will conduct needs assessments for the Materials Development Centers and will be responsible for coordinating the field-testing of materials within a given region.

Materials Development Centers are responsible for developing bilingual-multicultural student materials and materials specific to teaching skills in the languages of the target groups being served as determined by needs assessments conducted by the Resource Training Centers. The materials developed at these centers are to be field-tested by the Resource Training Centers, which provide direct services to LEA's. The materials will then be distributed by the Dissemination and Assessment Centers.

Dissemination and Assessment Centers function both in supportive and technical-leadership roles in providing services to the network of centers. Their primary role is to evaluate, publish, and distribute instructional materials and to disseminate professional information on curriculum, training, human resources, evaluation, and assessment. Their function includes assessment of the appropriateness of materials designed for publication and the effectiveness of materials utilized in programs, and overall program assessment with a view to possible identification of successful models.

In 1975, 12 Materials Development and Assessment/Dissemination Centers were awarded a total of $6,270,102, and 7 Resource Training Centers were awarded a total of $3,560,583. Thus for the first time an orderly and logical division of labor has been established to get bilingual instructional materials that are needed in the classroom. It is expected that the number of centers will increase in 1976 to account for more languages and to narrow the geographical area that each must now cover.

EMERGENCY SCHOOL AID ACT

Overview

The Emergency School Aid Act (ESAA), Title VII of the Education Amendments of 1972 (Public Law 92-318), was passed by the 92nd Congress and signed into law on June 28, 1972. Under its authority financial assistance was made available for the following purposes:

- to meet the special needs incident to the elimination of minority group segregation and discrimination among students and faculty in elementary and secondary schools
- to encourage the voluntary elimination, reduction, or prevention of minority group isolation in elementary and secondary schools with substantial proportions of minority group students
- to aid school children in overcoming the educational disadvantages of minority group isolation.

ESAA funds are allocated for specific activities authorized in the legislation. Eighty-two percent of each year's total ESAA appropriation is made available for apportionment among the States. The act allocates $75,000 to each State plus an additional amount based on its proportion of minority group children, with no State receiving less than $100,000. The ESAA State apportionment programs include Basic Grants, Pilot Project Grants, and Nonprofit Organization Grants.

The remaining 18 percent of the total ESAA appropriation is reserved for specific set-aside programs and discretionary projects which are administered by the Office of Education. The ESAA national programs include Bilingual Grants, Educational Television Projects, Special Projects, and Evaluation Contracts.

In fiscal year 1974 a survey was conducted to determine the number of Spanish-surnamed students enrolled in school districts with ESAA projects. Of the $233,355,147 total fiscal year 1974 ESAA obligation, $96,351,199 (41.3 percent) was awarded for projects in school districts which enrolled a substantial number of Spanish-surnamed students. Some 344 (31.8 percent) of the total 1,038 ESAA projects were awarded for projects in school districts with a substantial number of Spanish-surnamed students (24 States, Puerto Rico, and the Virgin Islands). Of approximately 6.8 million students enrolled in these school districts, about 1.9 million (28 percent) had Spanish surnames.

ESAA Bilingual Grants

Under Section 708 (c) of Public Law 92-318 (as amended by Public Law 93-380) ESAA Bilingual Grants may be awarded to local education agencies in which minority group children are not receiving an equal educational opportunity because of language and cultural differences. The grants are awarded for the purpose of developing or implementing bilingual/bicultural curriculums to improve the reading, writing, and speaking skills of minority group children from environments in which English is not the dominant language. The projects are also designed to enhance mutual interracial and interethnic understanding. To qualify for a Bilingual Grant an LEA has to be implementing an eligible desegregation or minority isolation plan and meet the requirements for a Basic Grant. Bilingual Grants may also be awarded to nonprofit organizations to develop bilingual/bicultural curriculums at the request of an eligible LEA.

ESAA applications for Bilingual Grants are evaluated according to specific selection criteria by the Office of Education regional staff and non-Federal review panels with special expertise in bilingual educational programs and school desegregation. Following the review and evaluation process, the applications which receive minimally acceptable rating scores are placed in rank order nationally and funded from top to bottom until all funds made available in ESAA's initial funding phase are exhausted. Bilingual applicants are also eligible to participate in the subsequent resubmission process during which low scoring applications can be revised and resubmitted for further competition for ESAA set-aside funds.

Under the ESAA legislation, 4 percent of the total ESAA appropriation is authorized for Bilingual Grants. Following is a 3-year funding analysis:

	Appropriation	Obligation	No. of Projects
1973	$ 9,111,000	$ 8,888,013	39
1974	9,958,000	[1] 10,857,968	47
1975	9,052,000	9,052,000	34
	$28,121,000	$28,797,981	120

[1] Amount in excess of authorization made possible through addition of funds reserved to the Assistant Secretary under section 708(a)(2) of the Act.

School districts receiving the 34 ESAA Bilingual Grants in fiscal year 1975 reported a total enrollment of 1,160,295 students: 680,385 or 58.6 percent minority enrollment and 479,910 or 41.4 percent nonminority enrollment. Of the total enrollment some 317,045 students or 27.3 percent have been identified as "non-English dominant."

School districts estimated that some 93,045 students, or 8 percent of the total enrollment in the LEA's, will participate in the projects in fiscal year 1975:

Black	10,505 (11.3 percent)
American Indian	155 (0.2 percent)
Spanish-surnamed	46,801 (50.4 percent)
Oriental	723 (0.8 percent)
Other Minority	113 (0.1 percent)
Other Participants	34,658 (37.2 percent)

Approximately 5,000 students from nonpublic schools participating in the bilingual projects have been identified but not included in the public school participation figures.

Representative Program Descriptions: ESAA Bilingual Projects

— San Francisco, California. A bilingual grant to the San Francisco Unified School District provided support for bilingual/bicultural instruction in basic skills to elementary students in four major language areas: Spanish, Chinese, Filipino, and Japanese. Additional program support for staff and materials development was provided through State funding.

Special instructional features included multiracial classes, English as a second language, bilingual instruction in content areas, individualized instruction in reading and mathematics, and utilization of bilingual teachers and counselors. Non-English languages were taught as subject areas and were used to instruct non-English dominant or non-English monolingual students. Special emphasis was placed on appreciation and understanding of the relevant culture in each ethnic program through a multicultural and interdisciplinary approach to the social studies curriculum.

— Dade County, Florida. A grant to the Dade County School Board supported a bilingual program for about 3,000 Spanish-speaking students. The objective of increasing the reading level of the students was pursued through a high intensity reading program, with individual diagnosis and counseling, and home visits. Basic concepts and skills were introduced in the students' own dominant language with subsequent reinforcement in the second language. Training sessions and workshops were conducted to familiarize teachers with new instructional strategies which are effective in multiracial and multiethnic environments.

VOCATIONAL EDUCATION ACT

Bilingual Vocational Training, Section 194 or Part J

Authority to support bilingual vocational training programs was authorized in the Education Amendments of 1974, Public Law 93-380. Title VIII, Part D of this legislation amended the Vocational Education Act of 1963 and, in Section 194(a), authorized the Commissioner of Education to make grants and enter into contracts with appropriate State agencies, local education agencies, postsecondary institutions, and private nonprofit vocational training institutions especially created to serve a group whose language is other than English. The purpose of the Bilingual Vocational Training Program is to provide persons who have left or completed elementary or secondary school, and who are unemployed or underemployed because they are limited-English speakers, with training which will enable them to enter the labor market.

Evidence of the need for such a program is manifested in the 152 applications submitted in 1975 to the program from 34 States and territories. Languages proposed in the applications included Spanish, French, Chinese, Indian, Filipino, Eskimo, Chamorro, Samoan and Micronesian.

The 21 projects, which were funded for a total of $2.8 million, are located in nine States and Guam and are training 3,250 persons. Languages in the projects are Spanish, French, Chinese, Indian, and Chamorro. Seven of the projects are located in community or junior colleges, six in local educational agencies, four in institutions of higher education, two in State education agencies, and two in private nonprofit agencies. The essential aspect of these projects which differentiates them from a monolingual vocational training program is the fact that training is conducted in both English and the non-English language; trainees acquire sufficient competence in English to enable them to perform satisfactorily in a work situation. Examples of such projects:

-- Two projects in Maine are offering programs designed for older Franco-Americans who will be trained to work as geriatric aides. Trainees will be prepared to serve as staff personnel in agencies for the aging to facilitate communication with Franco-American clients and to develop specialized Franco-American services.

-- Los Angeles Harbor College is attempting to meet the needs of limited-English speakers and equip them with skills to give them greater opportunities for employment. Areas of training include several categories of bilingual clerical work such as receptionist, clerk, secretary, and tax accountant, as well as medical assistant, dental assistant, health science worker, and industrial technoligist.

-- The Lansing School District is serving a portion of the Spanish speaking population, many of whom are unemployed, by offering programs to train limited-English speakers to work as bilingual clerk typists, auto mechanics, and machine shop operators.

-- Two programs in New York City are offering training to members of the Chinese community who are limited-English speakers. The China Institute in America is providing training for service as professional chefs and will place the trained bilingual chefs in restaurants cooperating with the program. The Chinatown Manpower Project, which is the only manpower training center serving the New York City Chinese community, is offering training in both para-legal and para-accounting skills.

— Bilingual training in 10 different skills is offered to Spanish speakers in the program in the Rochester, New York, school district. Vocational areas include plumbing, masonry, carpentry, electricity, welding, clerk typist, nurses' aide, machine shop, graphic arts, and fire and police work.

— A large segment of the unemployed population in Guam are limited-English speakers who have had no opportunity to enroll in bilingual programs. The Department of Education is providing bilingual training to Chamorro speakers in hospitality trades, construction trades, service trades, and business and office trades.

A Study of Bilingual Vocational Training, Section 192 of Part J

Section 192 of Part J requires the Commissioner of Education and the Secretary of Labor to make an annual report to the President and the Congress on the status and impact of bilingual vocational training in the United States. The Office of Education has initiated an exploratory study to collect information for the report.

Data is being sought from all 50 States regarding existing bilingual vocational training programs, enrollments, characteristics of enrollees, costs, and other descriptive information. To the extent possible the study will identify the methods and techniques of programs which appear to be successful as well as factors which inhibit success. The results of the study will be reported in 1976. Some of the highlights are given below.

Data from the inventory of bilingual vocational training programs for adults indicate there are 94 programs in 19 States for persons 16 or older who are no longer attending elementary or secondary schools. Approximately 13,000 students are enrolled at any given time in bilingual programs providing occupational training in nearly 400 courses in seven major occupational areas. The largest area, trade and industrial, has about 170 courses in 35 different skills.

Thirty-seven (38 percent) of the programs are in California. Sixty-nine (81 percent) are in eight States: California, New York, Texas, Arizona, Pennsylvania, New Mexico, Massachusetts, and Connecticut. Most programs are offered by local education agencies, junior and community colleges, regional occupational centers, ethnic institutes, Job Corps, or manpower agencies.

— One of the largest bilingual occupational training programs is conducted by the Dade County public school system in Florida in cooperation with the Dade County Community College.

Approximately 1350 limited English-speaking persons are enrolled in 50 occupational courses scattered throughout the county in schools, the college campus, and 16 Adult Training Centers. These courses are in basic vocational areas: distribution (income tax preparation and management), medical (nursing), secretarial and clerical, and textile manufacturing (drapery and dressmaking). Most courses are open entry/open exit and the training duration varies widely.

-- Some programs are sponsored cooperatively by vocational schools and the manpower consortium. Cleveland, Ohio, has operated such a program for 5 years in a multicounty area for Spanish-speaking Puerto Ricans and Mexicans. The program offers 26 weeks in machine shop and related skills and 26 weeks of clerical training. All language training is job specific and takes place within skills classes taught by bilingual instructors.

-- The Texas Education agency, working with school districts in Brownsville, Laredo, and San Antonio, has for 6 years conducted bilingual office occupations programs for Mexican-American adults. These programs teach a wide variety of courses in office machines, accounting, and secretarial and clerical skills to classes of 30 trainees who attend 15 hours a week for 2 years. Trainees are required to speak and read some English upon entry. The classes are conducted primarily in Spanish through a bilingual instructor who provides English language training within the skill class.

-- Schools and community colleges in California offer at least 35 programs, more than any other State. Examples include the Vocational Training Center, affiliated with Reedley College, which has operated a bilingual training program for Spanish-speaking Mexican-Americans since 1971. The Center provides training in welding, ornamental ironwork, blueprint reading, auto body repair, furniture upholstering, and a variety of auto and engine repair courses, and is planning courses in office occupations and in child development and care. These are year-round open-ended courses which vary in duration from 5 to 6 months. Current enrollment is about 190.

-- The Santa Ana Unified School District is currently converting many of its occupational training courses into multilingual (English, Spanish, and Vietnamese) courses. The first courses to be converted were programs to train electronics technicians and dental assistants. These began in 1976 with 60 students. Trainees will not be required to speak any English upon entry into the program, and the courses will be taught solely or predominantly in the trainee's native language, with job-specific English instruction included in each skill class.

State-Administered Vocational Education Programs

The Vocational Education Act of 1963, as amended, authorizes Federal grants to States to support existing programs and to develop new programs of vocational education. Grants are made upon approval of State plans by the Office of Education. Section 102(a), Part A of the act authorizes basic grants on a matching basis; section 102(b) authorizes nonmatching grants to support programs and services for persons (other than handicapped persons) who have academic, socio-economic, or other handicaps that prevent them from succeeding in the regulation vocational education program; section 102(3) authorizes grants to support programs for persons of limited English-speaking ability.

The appropriation for the basic grants was $420,978,000 in fiscal year 1975; the program for students with special needs was funded at $20 million. No funds were appropriated under authority of section 102(c) (programs for persons of limited English-speaking ability).

Although the basic grants program and the program for students with special needs may include services for persons of limited English-speaking ability, the State plans submitted to the Office of Education do not necessarily address the area of bilingual education. The annual reports of the States, similarly, do not necessarily include information on bilingual components of programs or on services to persons of limited English-speaking ability. Some evidence of bilingual approaches are indicated, however, in some State reports. Some examples from recent reports include:

-- California reported use of bilingual instruction in some projects. The Santa Barbara City High School District employed bilingual counselor aides to offer career counseling in Spanish and English.

-- Dade County, Florida, provides training with bilingual instructors in distributive education, health related and public service occupations, industrial education, bookkeeping, typing, office practice, commercial serving, upholstery, nursing training, and other fields.

— A program in Rochester, New York, serves 400 adults with bilingual instructors, counseling, job placement, and follow-up services. Training is offered in health occupations, food services, social services, clerical occupations, automotive trades, electrical trades, metal trades, and construction occupations.

ADULT EDUCATION PROGRAM

The Adult Education Act (Public Law 91-230) provides Federal assistance to expand educational opportunities and to encourage State-administered programs of adult public education that will enable any individuals 16 years of age or older to continue their education to at least the level of completion of secondary school.

The act authorizes grants for adult education to States that have Annual Program Plans approved by the Commissioner of Education. For fiscal year 1976, the Congress appropriated $67.5 million for adult education grants to carry out this authority. The Federal share of the Adult Education Program administered by each State shall not exceed 90 percent of the total program cost.

The Education Amendments of 1974 (Public Law 93-380) amended the Adult Education Act to provide for bilingual adult education programs for persons of limited English-speaking ability. The term "limited English-speaking ability" (as defined by Section 703(a) of Title VII of the Elementary and Secondary Education Act of 1965) when used with reference to adults means adults who come from environments where a language other than English is dominant and for this reason have difficulty speaking and understanding instruction in the English language.

The act (Section 302) provides for programs of instruction that will enable all adults to continue their education to at least the level of completion of secondary school and make available the means to secure training that will enable them to become more employable, productive, and responsible citizens.

The new amendments (under Section 306(11) of the Adult Education Act) provide that State plans shall (among other things):

> provide that special assistance be given to the needs of persons of limited English-speaking ability (as defined in section 703(a) of Title VII of the Elementary and Secondary Education Act of 1965), by providing bilingual adult education programs in which instruction is given in English and to the extent necessary to allow such persons to progress effectively through the adult education program, in the native language of such persons, carried out in coordination with programs of bilingual education assisted under such Title VII and bilingual vocational education programs under the Vocational Education Act of 1963.

To implement this new legislative provision, the regulations for the Adult Education State Grant Program (45 CFR Part 166.12(e)) require each State to include in its Annual Program Plan a statement which describes the policies, procedures, and criteria to be followed by the State agency in approving local education agency and public and private nonprofit agency programs for providing bilingual adult education. In addition, the Guidelines for the Preparation of State Applications suggest that the State Education Agency describe:

(1) the criteria to be used to identify persons of limited English-speaking ability;

(2) the methods to be used to determine the appropriate design, and to develop and implement relevant programs of instruction;

(3) the proposed level of activity, including the number and location of persons to be served;

(4) the rationale for the allocation of funds in terms of dollars (or percentage of allocation).

Local education agencies, which receive Federal funds through State agencies, carry out most programs and must assure the State education agency that expenditures for bilingual adult education programs will supplement title VII monies and not amount to a duplication of effort.

Special Experimental Demonstration Projects and Teacher Training activities are authorized under section 309 of the act. Authority for the administration of this section of the act was transferred from the U.S. Commissioner of Education to the State education agencies by the Education Amendments of 1974. In transferring this authority, the act was amended to require that 15 percent of the annual Federal allotment to each State must be used for special experimental demonstration projects and for training personnel engaged, or preparing to engage, in adult education.

The regulations for the Adult Education State Grant Program have been amended (45 CFR Part 166, subpart D) to cover section 309 of the act; this subpart gives special reference to programs for and methods of educating adults of limited English-speaking ability. In addition, the Guidelines for the Preparation of State Applications suggest that, in selecting projects for funding under section 309 of the act, States give consideration to special projects designed to "(1) meet the special educational needs of adults, including persons of limited English-speaking ability...;" and to teacher training programs designed to "(1) meet the special training needs of personnel employed in priority programs such as bilingual adult education programs for persons of limited English-speaking ability..."

Section 310 of the act is another special part of the act which calls for educational programs for elderly persons whose ability to speak and read the English language is limited and who live in an area with a culture different from their own. This section of the law has never been funded, however.

There is virtually no information with which to assess the impact of the 1974 amendments to the Adult Education Act which were intended to give special attention to persons of limited English-speaking ability. Annual State Performance and Financial Reports provide very limited information on program participants, expenditures, and outcomes at the State level. For example, the following summarizes information from the three most recent years for which data are available.

	Expenditures (in thousands)			Federal Adult Education Program Enrollment	American Indian, Asian American, and Spanish-surnamed	
FY	Federal	Non Federal	Total		Enrollment	Percent of total Enrollment
1971	41,534	15,322	56,856	620,922	138,641	22.3 %
1972	49,693	17,371	67,064	820,514	252,269	30.7 %
1973	50,693	20,127	70,820	822,469	255,846	31.1 %

It may be supposed that many of the American Indians, Asian Americans, and Spanish-surnamed persons enrolled in adult education have limited English-speaking ability, but no figures are available. Also, the number of such persons who participated in bilingual education programs is not known. Note, however, that the enrollment of American Indians, Asian Americans, and Spanish-surnamed persons in adult education is increasing and at a faster rate than that of other population groups. A more detailed breakdown for fiscal year 1973 shows the following enrollments: American Indians 13,800; Asian Americans 43,954; Puerto Ricans 43,356; Mexican-Americans 79,328; and other Spanish-surnamed persons 88,848.

After January 1, 1977, examples of particular bilingual education projects funded under this State-administered program will be available from the Clearinghouse on Adult Education. However, prior to the Education Amendments of 1974, section 309 was administered by the U.S. Office of Education. Two projects dating from that time period are described below:

— In Chicago, Illinois, the West Town Young Adult Bicultural-Bilingual Learning Center was set up to demonstrate effective methods for dealing with the problems of Spanish-speaking dropouts. Bilingual-bicultural instruction in communications, Spanish culture, and "mainstream American culture" is offered in a noninstitutional, community-based setting. The Center also tries to provide followup assistance to participants who seek employment training and further education.

— Another project, in San Fernando, California, operates a learning center for the Spanish-speaking parents of children enrolled in Head Start classes. The Center offers a bilingual curriculum in family living skills. Two mobile instructional teams serve parents at selected Head Start sites on a rotating basis.

LIBRARY SERVICES AND CONSTRUCTION ACT

The Library Services and Construction Act (LSCA), as amended, is a State formula grant program, with required State matching of funds. The program is now in its 20th year. Its main thrust under Title I, Library Services, has been to promote the extension of public library services to areas without such services or with inadequate services; to make library services more accessible to persons who, by reason of distance, residence, language, physical handicap, or other disadvantage, are unable to receive the benefits of public library services regularly made available to the public; to strengthen metropolitan public libraries which serve as national or regional resource centers; and to improve and strengthen State library administrative agencies. The budget for LSCA Title I was $49,155,000 in fiscal year 1975.

The act is administered in each State by the officially designated State library administrative agency, which submits a State plan to the U.S. Commissioner of Education. The State library agency, with the assistance of the State Advisory Council on Libraries and in consultation with the Office of Education's Library Program Officer in the appropriate region, is responsible for the development of a long-range program which identifies the State's library needs and sets forth the activities to be taken toward meeting these needs, supported with the assistance of Federal funds. The long-range program is updated annually as the prior year program is evaluated and the new program planned.

The Education Amendments of 1974 added a section to LSCA Title I to give greater attention to meeting the library needs of persons of limited English-speaking ability. The change called for State library plans to assure that priority would be given to projects serving areas with high concentrations of people with limited English-speaking ability (as well as high concentrations of low-income families). Final regulations to implement the bilingual amendment to LSCA were published in the Federal Register on June 12, 1975. States have submitted amended basic plans to include the required criteria and have included plans for programs and projects to implement them in their Annual State Plans.

Prior to the Education Amendments of 1974, several States had included services to people with limited English-speaking ability in their programs for the disadvantaged. For example, a review of the fiscal year 1974 State reports indicated that 15 States provided information that identified programs reaching bilinguals. These programs were funded at $2.8 million. From the State reports received to date for fiscal year 1975 it is anticipated that some $3.7 million can be identified for support of such programs.

Following is a description of some of the typical activities reported by the States in reaching persons with limited English-speaking ability.

Statewide Services

The array of statewide library services developed for the benefit of persons with limited English-speaking ability by State library agencies illustrates the range of programs supported by LSCA.

-- An assessment of bilingual, bicultural needs is part of the State planning and evaluation process. Based on a State survey of American Indian library resources and personnel, one State plans to double the previous year's budget for services to this group. Twenty-seven libraries on Indian reservations will be strengthened.

-- Minority recruitment and training programs provided scholarships to attend graduate library schools. These have produced, among others, Spanish-surnamed, Spanish-speaking librarians and library school faculty.

-- A workshop for librarians working with Mexican-American children trained the participants in the selection of books in the Spanish language and about the Mexican-American culture and also in the skills of bilingual storytelling. The sponsoring State library agency gave book grants to the libraries represented for the purchase of Spanish materials. The State library agency is also building a special Spanish-centered juvenile collection.

-- LSCA provides for books and other library services to residents in State-supported institutions, including library services to physically handicapped persons, the blind, and other visually handicapped persons. Efforts are made to obtain materials in the language spoken and in whatever form can be most useful. For instance, recording programs for the blind and visually handicapped include native language materials.

Rural Services

Bilingual and bicultural users of bookmobile services include migrant families, Indians on reservations, rural residents, as well as patients, residents, and inmates of institutions located in the areas served. Mobile libraries have personnel who speak the language and know the culture of the borrowers. Materials include books and other printed matter, films, and recordings in the mother tongue of users, and programs that suit the age and concerns of the group. Examples of such programs are bilingual story hours and film showings, job information, student assistance, and reading guidance.

Books-by-Mail is another delivery service intended to meet the needs of rural residents and others who are not reached by libraries. These persons include the homebound, convalescent, elderly, disabled, and institutionalized. Postage fees are usually prepaid by the libraries, and return-mail envelopes are included. Books in the native language of the bilingual users are included in the catalogs from which the readers make their selections.

The use of mobile and mail services does not preclude the establishment of rural libraries that serve bilingual clientele. These are found in increasing numbers on reservations and in villages and towns.

Urban Services

Many city libraries are designing new services provided by personnel who speak the language of the people in the area to be served. For example:

— A separate library was established in a Portuguese-speaking community in a New England fishing center, with Portuguese materials, and providing opportunities for socialization and education. A library for the Spanish-speaking residents is being planned in the same city.

— On the west coast, a city library is developing a library/cultural center for its Asian community, taking advantage of the experience it gained in establishing a nationally known Latin-American library.

— Parent-centered programs for preschool children reach into public housing and low-income areas, offering special learning experiences to the bilingual parent and child.

— Library-sponsored bilingual centers are located in community centers and multiservice centers as well as in libraries. Young people, especially, are "at home" in such centers and become involved in programs with opportunities to develop pride in their native language and background.

— Mobile library services—provided by vans and mini-bookmobiles—give curb service and on-the-spot programs in neighborhoods, parks, community centers, and also at fiestas and other likely places and times for making contact with people.

CIVIL RIGHTS ACT, TITLE IV

Under the authority of sections 403, 404, and 405 of Title IV of the Civil Rights Act (CRA) of 1964, as amended, financial assistance is made avialble to provide awards for technical assistance, training institutes, and grants to school boards in connection with the desegregation of public elementary and secondary schools.

For the purposes of this act the term desegregation has a dual meaning:

(1) The assignment of students to public schools and within schools without regard to their race, color, religion, sex, or national origin and

(2) The assignment of students to public schools and within such schools in a manner which will provide all students with an equal opportunity for effective participation in education programs despite any English language deficiencies resulting from environments in which the dominant language is other than English.

"Non-English dominant minority group" refers to persons who have been specifically determined by the Commissioner to be from environments in which the dominant language is other than English and who are therefore incapable of effective participation in the educational process.

Title IV awards are made in the following program areas and may include desegregation-related (Type A) activities, bilingual-related (Type B) activities, and sex desegregation activities:

— General Assistance Center (GAC) Type A...Desegregation
Type B...Bilingual

— State Education Agency (SEA) Units Type A...Desegregation
Type B...Bilingual

— Desegregation Training Institutes...Desegregation and
Sex Discrimination

— Grants to School Boards

In fiscal year 1975 the $26.7 million appropriation (including $5 million in supplemental funds) for Title IV program activities was obligated as follows:

GAC - Type A	$10,729,546	40.4 percent
GAC - Type B	3,750,000	14.1 percent
SEA - Type A	5,425,000	20.4 percent
SEA - Type B	1,250,000	4.7 percent
Desegregation Training Institute	3,255,000	12.2 percent
Grants to School Boards	2,170,000	8.2 percent
	$26,579,546	100.0 percent

This report will address only the bilingually related or Type B Title IV awards for GAC's, SEA's, and those Desegregation Institutes addressing non-English dominant language problems.

General Assistance Centers (Type B)

The purpose of the General Assistance Centers (Type B) is to provide relatively stable sources of desegregation assistance relating to the English language deficiencies of students from environments in which the dominant language is other than English. Such assistance is offered within each of nine geographical service areas (see below). The activities undertaken by each GAC-B were determined by an assessment of the needs in each service area based on the letters of request for assistance submitted by school districts. School districts requested desegregation assistance or training to meet the problems associated with the language deficiencies of non-English-dominant minority students in some of the following activity areas:

— Assessment of the specific language proficienccy needs of non-English-dominant minority group students

— Assessment of the specific language proficiency related to the needs of individual schools

— Development of new administrative structures to accommodate changes caused by desegregation in a bilingual or multilingual situation, including the development of techniques for the identification and recruitment of teachers and other educational personnel with bilingual backgrounds and professional skills

- Development of new curricular techniques and materials for use in classrooms containing non-English dominant minority group students
- Development of techniques for school-community interaction to help solve educational problems created by desegregation in a bilingual or multilingual setting
- Training of supervisory personnel responsible for conducting training related to desegregation problems arising in a bilingual or multilingual setting
- Assistance in the preparation of applications for Basic Grants, Pilot Projects, and Bilingual Grants submitted under the Emergency School Aid Act (ESAA) which focus on the language proficiency needs of non-English dominant minority group students
- Inservice training of personnel actually implementing an ESAA or CRA Title IV project which has as a major focus the language proficiency needs of non-English dominant minority group students
- Guidance in the proper implementation and evaluation of projects supported under ESAA which have a strong bilingual focus

Since the GAC's work with school districts in an advisory capacity, specific problems may emerge which require specialized training for a district's staff members. The Centers are able to provide either the necessary training or to assist the district's supervisory staff in their training activities.

For fiscal year 1975 nine General Assistance Centers (Type B) were funded in the following service areas:

AREA A: Maine, N. H., Vt., Mass., R.I., Conn., N.Y., N.J., P.R., V.I.

Teachers College
Columbia University
New York, N.Y.

AREA B: Pa., Del., Md., D.C., Va., Fla., W. Va., N.C., S.C., Ky., Tenn., Ga., Ala., Miss.

University of Miami
Coral Gables, Fla.

AREA C: Ohio, Ind., Ill., Mich., Minn., Wis., Kans., Iowa, Nebr.

Chicago State University
Chicago, Ill.

AREA D: Tex., Ark., La.

Intercultural Development
Research Association
San Antonio, Tex.

AREA E: Mont., N. Dak., S. Dak., Wyo., Colo., Utah, Okla.

Coalition of Indian
Controlled School Boards
Denver, Colo.

AREA F: N. Mex., Ariz., Nev.

University of New Mexico
Albuquerque, N. Mex.

AREA G: That part of California south of the northern boundaries of San Luis Obispo, Kern, and San Bernardino Counties

San Diego State University
San Diego, Calif.

AREA H: That part of California not included in Area G

BABEL (LAU) Center
Berkeley, Calif.

AREA I: Wash., Oreg., Idaho, Alaska, Hawaii, Guam, Trust Territory of the Pacific Islands, American Samoa

Center for Bilingual Education
Portland, Oreg.

State Education Agencies (Type B)

Section 403 of Public Law 88-352, the Civil Rights Act of 1964, as amended, authorizes the Commissioner of Education "upon the application of any school board, State, municipality, school district or other governmental unit legally responsible for operating a public school or schools to render technical assistance to such applicant in the preparation, adoption, and implementation of plans for the desegregation of public schools."

Among other activities this technical assistance may include "making available to such agencies personnel of the Office of Education or other persons specially equipped to advise and assist them in coping with special educational problems occasioned by desegregation." The Commissioner may make grants for this purpose to organizations specially equipped to provide technical assistance, including State educational agencies (SEA's).

In fiscal year 1975 approximately 25 percent of the regular $21.7 million Title IV appropriation was used to support SEA projects to assist school districts with desegregation problems based on race, national origin, or sex. In addition, 25 percent of the supplemental $5 million appropriation for title IV was used for SEA projects assisting districts with the language proficiency problems of non-English dominant minority group students.

School districts often lack personnel with the specialized skills required for the language proficiency problems of non-English dominant minority students in a desegregated setting. Modifications in administrative, instructional, and curriculum methods, as well as in counseling activities, community relations techniques, and other areas may be necessary to make certain that high educational standards are maintained within desegregated schools. State technical assistance units are staffed by persons with expert knowledge in solving a wide range of non-English dominant and desegregation related problems. Because of their special competency in these matters, the SEA units act as an important advisory resource for school districts which request assistance.

SEA activities were determined by an assessment of the desegregation-related needs within the State, including the letters of request for assistance submitted by the school districts. Activity areas in which desegregation assistance may be needed by school districts include the following:

- Training of teachers and other ancillary educational personnel in skills needed to effectively teach those children whose dominant language is other than English, including cultural awareness, proficiency in the appropriate non-English language, and teaching of English as a second language

- Development of bilingual education programs, materials, and methods for use in desegregated classroom situations involving non-English dominant minority group students

- Guidance to the district's administrative staff in understanding their responsibilities under Federal and State desegregation guidelines

— Coordination with other Federal and State programs for more effective use of program funds to assist the district's desegregation effort, particularly in the relation to GAC's, Institutes, and local education agencies funded under both CRA Title IV and ESAA Title VII.

All State assistance units are required to conduct activities designed to make certain that, as a result of desegregation, administrators, teachers, and other educational personnel are not demoted, dismissed, or assigned outside their field on the basis of race, color, religion, sex, or national origin.

The SEA's (Type B) were approved at a funding level not to exceed the following amounts:

SEA	HEW Region	Funding Level
Illinois	V	$100,000
New Mexico	VI	175,000
Texas	VI	250,000
California	IX	250,000
Utah	VIII	25,000
Colorado	VIII	75,000
Ohio	V	25,000
Washington	X	50,000
Iowa	VII	20,000
Alaska	X	25,000
Rhode Island	I	25,000
New York	II	200,000
Connecticut	I	30,000
Total		$1,250,000

Desegregation Training Institutes

Section 404 of Public Law 88-352, the Civil Rights Act of 1964, as amended, authorizes the Commissioner of Education "to arrange, through grants or contracts, with institutions of higher education for the operation of short-term or regular session institutes for special training designed to improve the ability of teachers, supervisors, counselors, and other elementary or secondary school personnel to deal effectively with special educational problems occasioned by desegregation."

Applicants can request funds for activities focusing only on desegregation on the basis of race or national origin, for activities focusing only on desegregation on the basis of sex, or for activities focusing on both types of desegregation. Although Training Institutes may be short-term summer workshops of 6 weeks duration or may be conducted over the course of a regular academic year, they must be generally designed to assist a specific target population in meeting specific needs. Institute grants are not designed to provide general desegregation assistance to districts on an ongoing basis.

School districts involved in the desegregation process often encounter problems which its staff members may not have been trained to handle. Problems such as racial tension within the schools, inappropriate curriculums, ineffective counseling techniques, outdated instructional and administrative methods, and lack of community support for desegregation may create confusing pressures for the district's staff. Under such circumstances a series of training sessions for selected staff members may be arranged. The training of administrative or supervisory personnel who can effect substantive changes in school policies and procedures is especially encouraged. Such training is most useful when it assists staff members in developing concrete strategies for solving specific problems which have been carefully identified. Requests for training services must be made in the form of letters from the school district stating the specific problems for which training is needed.

The types of training activities were determined by the assessment of needs related to desegregation based on race, national origin, or sex as outlined in the letters of request for assistance submitted by school districts.

In fiscal year 1975 a Desegregation Training Institute to assist school districts with the desegregation problems of non-English dominant minority students was funded for $74,496 at Central Washington State College, Ellensburg, Washington.

EDUCATION OF DISADVANTAGED CHILDREN, ESEA TITLE I

Title I of the Elementary and Secondary Education Act of 1965 provides financial assistance to local educational agencies to expand and improve their educational programs by various means which contribute particularly to meeting the special educational needs of educationally deprived children. The program is State administered. The States approve local project applications, provide technical assistance to local education agencies, monitor the projects, and make required reports to the Office of Education.

Little is known about the extent of bilingual education in the title I projects. One source of data is the Consolidated Program Information Report for fiscal year 1973, the last year for which this report is available. In reporting expenditures by population target groups, it shows somewhat over $39 million expended on programs for "children from limited- or non-English-speaking environments." In reporting expenditures by purpose, about $46 million was reported expended for reading (non-English), other non-English language arts, English as a second language, and bicultural enrichment activities. About half this total was reported for English as a second language. Some 190 thousand children from limited- or non-English-speaking environments were reported as participants in these activites. These data are based on estimates provided by the State education agencies.

The foregoing statistics do not permit a statement about the prevalence of projects in support of bilingual education under title I. However, such projects are known to exist because in an effort to identify promising projects and disseminate information on them to the States, the Office of Education conducted a limited number of case studies of title I projects and among them found several for bilingual education. These involved bilingual teachers, teaching materials, and a bicultural approach.

The Division of Education for the Disadvantaged in the Office of Education recently developed and distributed for State education agency use a program support package on bilingual education. This package is used as a technical assistance device by State agencies in their efforts to provide leadership services to local school systems and to direct their attention to important areas of need.

ESEA Title I makes special provision for children of migratory agricultural workers and fishermen. Funds are reserved from the title I appropriation, based on the number of migratory children, for grants to States to support either directly, or through local education agencies, programs and projects designed to meet the special needs of migratory children of migratory agricultural workers and fishermen. Funds allocated for the program in fiscal year 1975 amounted to $92 million.

Inasmuch as 80-85 percent of the migrant agricultural work force in the United States have as their primary language one other than English, title I migrant programs spend a proportion of their resources to meet this particular educational need.

The most current study estimates that 67 percent of the total migrant allocation is spent in direct instructional services. It is further estimated that not more than $15 million was spent on some aspect of bilingual education.

Although the methods by which the State migrant programs address the needs of the limited-English-speaking student may not be "bilingual programs" in the strictest title VII sense of the term, a broad spectrum of instructional and supportive services are provided. Two examples of State approaches:

- The California Master Plan for migrant education states that "instructional programs will be designed to develop the basic language communication skills of listening, speaking, reading, and writing, with emphasis on bilingual proficiency for Spanish-speaking" and that "supplementary instructions for Mexican-American children will be planned with a bilingual-bicultural framework." Staff development priorities as outlined in the Master Plan include "Elements of successful bilingual-bicultural instruction" and "understanding of cultural differences."

  The Master Plan also sets out in detail the provisions to be made for Spanish-speaking members of parent advisory committees:

  > Project staff members who work directly with the children and their parents must speak Spanish and English fluently. All printed materials sent to migrant farm families must be in Spanish and English. Meetings involving migrant farm families must be conducted in Spanish and English for the benefit of any non-English speaking parent.

- In Maryland, the migrant population in recent years has been changing from English-speaking to non-English-speaking. The need for a concomitant change in staffing has been recognized. The Maryland ESEA Title I program application states that "it will be necessary to hire teachers who can speak Spanish in order to accommodate the non-English-speaking students." The Maryland staff development component of the application has been instructed to address changing needs. It includes instruction in:

  a. Basic language skills in conversational Spanish, particularly emphasizing the ability to discuss physical needs, family problems, and cultural issues

b. Knowledge of how to teach English to speakers of Spanish through a program of analysis of English and Spanish and the rudiments of applied linguistics

c. Knowledge of Puerto Rican and Mexican cultures and of the cultural differences between Spanish-speaking children and children of their ethnic groups in the schools. Attention will also be given to the relation between cultural differences and the learning process

d. Understanding the nature of the preschool child, the way he learns, and the environment appropriate to instruction for very young Spanish-speaking children

These are examples of how State migrant programs attempt to meet the special educational needs of the non-English-speaking migrant child. In all States native language materials are used and staff of like ethnicity are hired.

SUPPLEMENTARY EDUCATIONAL CENTERS AND SERVICES, ESEA TITLE III

Program Purpose and Strategy

Title III of the Elementary and Secondary Education Act provides non-matching grants to State education agencies to support creative change in American education through innovative and/or exemplary projects and supplementary centers and to support guidance, counseling, and testing programs. These projects are based upon the results of a statewide needs assessment, and the innovative and exemplary projects are intended to serve as models which can be adapted by local education agencies in the State and in the Nation. Under title III, States are allotted funds according to a formula prescribed in the Elementary and Secondary Education Act. To receive funds States must submit a plan to the Office of Education setting forth the proposed strategy for project development, selection, and management.

Funds for Special Programs and Projects (Section 306 of the Elementary and Secondary Education Act) which constitute 15 percent of each State allotment, are used by the Commissioner of Education at his discretion to support innovative and exemplary projects in local educational agencies. These projects utilize research findings and demonstrate successful solutions to major educational problems common either to all or to several States. The projects also give direction to the State Plan Program administered by the States.

Appropriations for the program in fiscal year 1975 were $120 million. Under provisions of Title IV, Part C of Public Law 93-380, 50 percent of the funds appropriated for fiscal year 1976 are available to the States to carry out programs pursuant to the titles included in the consolidation of programs. Under this provision $63,781,000 was available for Federal administration in fiscal year 1976. Beginning in fiscal year 1977, the total appropriation will be administered by the States.

—Description of Activities With Respect To Persons Of Limited English-Speaking Ability. During fiscal year 1975, under the State Plan Program of ESEA Title III, the States estimated that approximately 186,000 Spanish-surnamed students would participate. A review of State Plans revealed that there were 46 projects in 11 States and 31 projects in Puerto Rico in which there was a major focus on Spanish-speaking students. Title III funds for these projects were an estimated $6 million.

Data from State reports indicated that activities supported for children from limited- or non-English-speaking environments included reading in their native languages, English as a second language, and bicultural education activities. However, as with title I, it was not possible to report how many of the title III projects were truly bilingual in character. Two projects from the State Plan program are described below:

— A project in the Reading, Pa. school district for Spanish-speaking Puerto Rican elementary students was designed to

  a. teach English as a second language and the major disciplines in the native tongue;

  b. Increase competency in both the English and Spanish languages;

  c. develop a higher level of aspiration;

  d. decrease the dropout rate;

  e. increase the knowledge and appreciation of the participants for the Anglo culture and the Puerto Rican language.

— A project in a Preston, Mich., elementary school for preschool through grade 4 children was designed to

  a. raise achievement levels in reading and mathematics in the dominant language;

  b. develop pride in the native culture and appreciation of others;

  c. teach a second language to assist in cross-culture interaction;

d. train a cadre of instructors to expand the program into other schools;

e. involve parents as reinforcing agents in the instructional process.

Under Title III, Section 306, in fiscal year 1975 approximately $80,000 was directed specifically at meeting the needs of Spanish-speaking students.

Two projects were funded.

- The Roosevelt School District #66 in Phoenix, Arizona, was funded for $50,000 and served 190 students. This program translates the adaptation of the model Early Childhood Program (from Baltimore, Md.) into Spanish and seeks to improve readiness for reading, self-concept, and attitudes toward parents
- The Berryessa (San Jose), California, project served 340 students and was funded at $30,000. It is a total instructional system in language skill, literature, and language systems based upon the Hawaiian English Program

FOLLOW THROUGH

Follow Through is an experimental program designed to assist, in a research setting, the overall development of children from low-income families enrolled in kindergarten through third grade. More specifically the purpose of the program is to (a) implement innovative educational approaches, (b) provide comprehensive services and special activities in the areas of physical and mental health, social services, nutrition, and other areas which supplement basic services already available within the school system, (c) conduct the program in a context of effective community service and parental involvement, and (d) provide documentation on those education models which are found to be effective.

The experimental feature of the program is the implementation of a variety of educational approaches with greater than average amounts of supplementary services and a high degree of parental involvement. The factor which varies in controlled ways and is thus subject to evaluation is the kind of educational approach used. As an experimental program, the goal is to carefully evaluate the alternative approaches and thereby to gain knowledge about those which work and those which don't work for children of low-income families.

The Follow Through program is authorized by Public Law 93-644, the "Headstart, Economic Opportunity, and Community Partnership Act of 1974," Title V, Part B, Section 551. The total fiscal year 1975 appropriation for Follow Through was $55.5 million, of which $11,172,778 was awarded to projects with sizable limited-English-speaking populations. Approximately $2.9 million was used in projects which were bilingual in nature.

The experimental program involves 20 different education models which have been developed and are being tested in school districts across the country. Each model is designed and monitored under a grant to a sponsoring group such as a university or an educational research laboratory, and is implemented locally by means of a grant to local education agencies. There are 164 local projects, including 24 projects which are not associated with any of the 20 sponsors. Several of the models are intended especially for children of limited English-speaking ability, and two are explicitly bilingual in character--the model developed by the University of California at Santa Cruz and the one developed by the Southwest Educational Development Laboratory.

The aim of the University of California model is to have an educational environment consonant with the cultural and communication styles of the children. It therefore seeks to identify cultural variations in learning styles and then to develop the appropriate teaching strategies and curriculum materials. This model is implemented at one location, Cucamonga, California. Two hundred children are involved in the project; 75 percent are Mexican-American. The school district received a grant of $138,627 in fiscal year 1975.

The Southwest Educational Development Laboratory (SEDL) Follow Through model uses an oral language approach to the development of skills in most curriculum areas. Emphasis is also placed upon understanding the various cultures represented in the classroom and in the community as a way of increasing the children's self-esteem. The SEDL approach is being followed in two urban and three rural communities. Two instructional forms are used: a true bilingual form in classrooms where many of the children are Spanish-speaking and an English as a second language form in other situations where children of Spanish, French or Afro-American descent speak a dialect form of English. The languages used in the SEDL Follow Through model (other than English) are Spanish and Cajun. Three of the SEDL sites are in the national longitudinal evaluation of Follow Through, the results of which will be reported in 1976. Information on all SEDL sites is summarized in the table on the next page.

Two additional Follow Through projects which include bilingual components are self-sponsored. One, in Van Buren, Maine, features an open education instructional model combined with a locally developed bilingual approach for Acadian French children. The project received $173,927 in fiscal year 1975. A second project, in Corpus Christi, Texas, is bilingual Spanish/English for Mexican-American children. The project received $263,397 in fiscal year 1975.

SOUTHWEST EDUCATIONAL DEVELOPMENT LABORATORY, FOLLOW THROUGH SITES

School District	Form of Model	Language	Limited-English-Speaking Group	Number of Children	FY'75 Grant
Los Angeles, California	Bilingual	Spanish	Mexican-American	1429 97% Mexican-American	$654 482
Tulane, California	Bilingual	Spanish	Mexican-American	907 75% Mexican-American	$545,175
Philadelphia, Pennsylvania	Bilingual	Spanish	Puerto Rican	963 65% Puerto Rican	$227,268
San Diego, Texas	Bilingual	Spanish	Mexican-American	376 98% Mexican-American	$206,235
St. Martin's Parish, Louisiana	English-as-a-Second-Language	Cajun	Cajun	532	$301,701

RIGHT-TO-READ

The purpose of the Office of Education Right-To-Read Program is to provide facilitating services and resources to stimulate educational institutions and other agencies and organizations to improve and expand their activities related to reading. The Right-To-Read Program is a component of a national reading effort. The twin goals of the national effort are (a) to make sure that children in school learn how to read well and (b) to eradicate illiteracy in the adult population.

The program operated under authority of the Cooperative Research Act until fiscal year 1976, when it came under the authority of Title VII, Education Amendments of 1974 (Public Law 93-380), National Reading Improvement Program, as amended by Public Law 94-194. Major thrusts of the Right-To-Read program to date have been:

(1) local education agency programs for elementary and preschool children and community-based projects for youths and adults not reached through other reading programs

(2) Statewide leadership and training grants to SEA's

(3) teacher preparation programs

(4) evaluation of reading improvement through use of reading specialists

(5) development and dissemination of effective reading materials and program models

Support for these activities was provided through discretionary grants and contracts to State and local education agencies, institutions of higher education, nonprofit educational institutions, and community organizations.

Although projects under the earlier legislative authority were not required to serve groups with particular cultural and linguistic variables, they were encouraged to focus on distinctive techniques, such as the utilization of volunteers, satellite reading centers, and community involvement for reaching persons with special needs, including bilingual and other groups not served effectively by traditional literacy programs.

Under the new legislation the school-based projects as defined through 1975 will be discontinued; a new program of reading improvement projects will be initiated under the sponsorship of State or local education agencies, nonprofit educational agencies, or child care institutions for elementary and pre-elementary grade students. These reading improvement projects must provide for the use of bilingual education methods and techniques to the extent consistent with the number of elementary school-age children in the area served by the reading program who are of limited English-speaking ability.

For fiscal year 1975 the Right-To-Read Program staff identified 24 community-based and reading academy[1] projects with bilingual education components, in addition to an adult television reading series project and a parent education project. The community-based projects with bilingual components received $70,000 in fiscal year 1975, reading academy projects with bilingual components received $400,000. The adult television reading series and the parent education project were funded at approximately $881,000 over a 2-year period.

Total program funding for fiscal year 1975 was as follows:

Demonstration projects	
School-based	$1,284,669
Community-based	2,013,367
Reading Academies	1,449,221
State Education Agency Programs	5,215,122
Teacher preparation	1,496,497
National Impact Program	
Television	49,970
Dissemination	409,446
Total	$11,918,292

Examples of activities in projects with bilingual education components:

- An Adult Television Reading Series is being developed under contract and will provide video tapes, student materials, and a teacher manual. The series is being developed in two components--one for teaching reading in English to functionally illiterate English-speaking adults, and the other for teaching reading in Spanish to functionally illiterate Spanish-speaking adults.

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[1] Reading academies provide reading instruction and assistance otherwise unavailable to youths and adults through school- or community-based projects.

— The Program of English Instruction for Latin-Americans in the District of Columbia assists non-English-speaking adults in becoming conversant and literate in the English language. It also assists the participants in cultural assimilation from the Latin-American culture to the American culture. It provides instruction in Spanish and Portuguese for reading and writing in both languages.

— The National Puerto Rican Forum in New York provides a 15-week Spanish literacy course for Spanish monolingual adults. A second component of the program provides a 15-week English-as-a-second-language course for Spanish-speaking adults who are literate in their own language, have little proficiency in oral English, and are at the third grade or below reading level in English. A third component is a 15-week pre-General Education Development course for Spanish-speaking adults who are literate in their native language, moderately proficient in oral English, and are at the 4 to 6 grade reading level in English.

-- A Consortium of Adult Reading Academies in Greeley, Colorado, serves a large Spanish-speaking population, including a large number of migrant families. Volunteer tutors and paid teacher aides provide individualized instruction.

-- The Denver Public Library program serves the Chicano population in Denver. As in the other programs, satellite reading academies operate within target communities. The program includes English as a second language. A bilingual librarian is provided for the program.

— In University Park, Los Angeles, California, a Bilingual/Multicultural Reading Academies Network at the University of Southern California serves the inner city of Los Angeles. Small group instruction and tutorial assistance are provided through satellite academies in the target area.

— The Hacienda La Puente Unified School District in California is serving school dropouts or potential dropouts, homebound women, unemployed or underemployed men and women, and county jail inmates. In the area the minority population is 40 percent of the total population, but as high as 77 percent in some communities.

SPECIAL PROGRAMS FOR STUDENTS FROM DISADVANTAGED BACKGROUNDS

The Special Programs for Students from Disadvantaged Backgrounds are authorized by Title IV, Part A, Subpart 4 of the Higher Education Act of 1965, as amended. The specific programs authorized by the act are Talent Search, Upward Bound, Educational Opportunity Centers, and

Special Services for Disadvantaged Students. From fiscal year 1972 to 1976, the funding levels for these programs have remained virtually constant, with Talent Search receiving $6 million; Upward Bound, $38.3 million; Educational Opportunity Centers, $3 million; and Special Services, $23 million. The newest program, Educational Opportunity Centers, began operations July 1, 1974.

These four programs have as their common goal the identification and the delivery of supportive services to disadvantaged students to help them initiate, continue, or resume postsecondary education. Public Law 93-380 amended the legislation for the Special Services for Disadvantaged Students Program to include limited English-speaking ability as an eligibility category for participation. The programs are administered by the Regional Offices of Education.

Program Purpose and Strategy

Projects funded under the Special Services Program, located at institutions of postsecondary education, are designed to provide supportive services such as tutorial, academic, career, and personal counseling, and remedial or special classes that enable disadvantaged students to remain in school and complete their educational programs.

To implement the legislation as amended, Section 157.8, Bilingual educational projects, has been included in the regulations (45 CFR 157) for the Special Services for Disadvantaged Students Program. This section describes the minimal required services that must be provided students of limited English-speaking ability.

If an applicant receives funds to conduct a Special Services project that will serve exclusively, or a significant number of, students of limited English-speaking ability, the grantee must select the participants on the basis of their difficulty in speaking and understanding instructions in the English language.

Further, the regulation requires that students of limited English-speaking ability be provided special instruction in the use of the English language, either through the project or the institution's regular program of instruction, to overcome the obstacle in order to pursue successfully a postsecondary education program. Such students are provided bilingual personal, career, and academic counseling and guidance; bilingual remedial and special classes to enable them to complete required and prerequisite courses; bilingual tutorial services; and other bilingual supportive services necessary to meet their educational needs.

To be eligible for participation in the Special Services Program, a student of limited English-speaking ability must be:

(1) enrolled or accepted for enrollment at an institution which has a Special Services project

(2) a citizen or national of the United States or have visas which identify the individual as a person who is in the country for other than a temporary purpose and intends to become a permanent resident

(3) an individual with academic potential with a need for bilingual education, teaching, guidance, and counseling in order to pursue successfully a program of postsecondary education.

—Description of Activities Concerning Persons of Limited English-Speaking Ability. Public Law 93-380, which authorized bilingual supportive services, applied to project activities effective July 1, 1975. Because of the funding system (multiyear) adopted by the majority of the Office of Education Regional Offices, most of the Special Services projects were entering the last of their 3-year work program, which was approved in 1973. Since priority in funding was given to noncompeting continuation projects, limited funds were available to support new applicants.

In most cases, ongoing projects received the same amount of funds as in the previous year; consequently, the absence of additional funds prohibited major modifications to add, at this time, a component to serve more effectively students of limited English-speaking ability. Despite these limitations some activities can be reported:

- Region I, which did not utilize the multiyear funding system, funded three Special Services projects that have components to serve persons with limited English-speaking ability. The names, number of students to be served, and the Special Services funds supporting each activity are as follows:

N. Shore Community College Beverly, Mass.	43	$10,500
Bristol Community College, Fall River, Mass.	17	12,000 *
Springfield Tech. Community College, Springfield, Mass.	115	23,000

- Region IV funded Hillsborough Community College, Tampa, Fla., to serve 162 students with a grant of $73,000.

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* These monies are from State funds: the Special Services funds are used to provide bilingual tutors only.

From these and projects in other regions where services to bilingual students can be identified, between 4 and 5 percent of the eligible students were receiving English language instruction or participating in special remedial bilingual classes as of December 31, 1975.

An indeterminable number of other students with bilingual needs are current participants in ongoing projects. However, in the absence of regulations, the eligibility factor on which they were selected was income rather than difficulty with the English language. Although separate and structured project activities have not been designed solely for their benefit, the students are often counseled, tutored, and otherwise assisted by project staff who are, themselves, bilingual.

With the publication of regulations and with open competition for funds during fiscal year 1976, it is anticipated that more Special Services projects will be funded that incorporate identifiable components which provide bilingual supportive services to students of limited English-speaking ability.

INDIAN EDUCATION ACT, TITLE IV

The Indian Education Act is Title IV, Education Amendments of 1972, Public Law 92-318 (amended by Public Law 93-380, Title VI, Part C, Sections 422 and 423). Bilingual education project grants are authorized under Part B, Sections (b)(2) and (c)(1)(G). The overall appropriation levels for the program are as follows:

	Fiscal Year 1975	Fiscal Year 1976
	(in thousands)	
Payments to Local Educational Agencies for Indian Education Part A)	$25,000	$35,000
Special Projects for Indian Children (Part B)	12,000	16,000
Special Projects for Indian Adults (Part C)	3,000	4,000
Program Administration (GEPA)	2,034	2,055
TOTALS	$42,034	$57,055

Program Purpose and Strategy

Congressional intent in enacting the Indian Education Act was to provide greater educational opportunity for Indian children and adults. Legislative authority for working toward fulfillment of that goal was assigned to parts A, B, and C of the law. The following areas of precedence have been established:

Part A, designed to meet the unique needs of Indian children in public schools, as well as in Indian-controlled schools, will:

(1) concentrate on increasing the per pupil rate of expenditure for Indians

(2) encourage and strengthen the movement toward increasing Indian involvement, authority, and responsibility in the planning and general operation of their schools

(3) seek more adequate funding for teachers, teacher aides, curriculum improvements, and instructional materials in languages and other subjects required

to help meet the special educational needs of Native Americans.

Part B, which authorizes use of discretionary grants to work with Indian tribes, organizations, State and local education agencies, institutions of higher education, and federally supported elementary and secondary schools on special projects, will:

(1) focus on such national needs and priorities as teacher training, parent committee technical assistance, parent-based early childhood programs, and educational materials development, as well as on developing educational models in public, alternative, and Bureau of Indian Affairs schools to be funded under Part B;

(2) document, package, and disseminate these models and practices and provide the technical assistance necessary to establish them in a wide range of school systems.

Part C, created to help Indian tribes, organizations, institutions, and State and local agencies plan, demonstrate, and operate programs for improving employment and educational opportunities for adult Indians, will:

(1) concentrate on teaching to achieve literacy, increase the number of General Equivalency Diploma graduates, and provide wider opportunity for job training;

(2) stress social supportive skills through the use of culturally relevant materials and curriculum to promote a sense of self-pride based on Indian history and culture;

(3) place emphasis on the use of curriculum most needed by Indian communities, such as legal education, consumer education, vocational counseling, and community education.

—Description of Activities Concerning Limited-English-Speaking Population. The following is a listing of Part B bilingual projects funded in fiscal year 1975:

Projects	Amount	Ages of Students	Indian Student Enrollment
Alaska Native Education Board "Alaska Native Bilingual/Bicultural Programs"	$190,000	K-6	585

Navajo Community College Tsaile, Arizona "Navajo Education Center for Training Bilingual and Bicultural Teachers for Navajo Education"	$128,000	Adult	24
Covelo Indian Community Council Covelo, California "Cultural Development Project"	$ 88,855	K-12	150
D Q University Davis, California "Native American Language Education Center"	$175,540	3-8	500
La Jolla Band of Mission Indians Pauma Valley, California "La Jolla Reservation Supplemental Education Project (Aka La Jolla Indian Education Center)"	$ 28,060	1-6	35
Wampanoag Tribal Council of Gay Head Chilmark, Massachusetts "Native American Cultural and Education Program"	$ 45,000	K-12	200
Rocky Boy Elementary School Rocky Boy, Montana "Chippewa-Cree Research"	$168,120	K-8	400
Northern Cheyenne Research & Human Development Assoc. Ashland, Montana "Cultural Research and Curriculum Development Project"	$ 99,390	K-8	300
San Juan Pueble Tribe San Juan Pueble, New Mexico "San Juan Pueble Bilingual Program"	$ 70,000	K-6	250
Pueble of Zuni Zuni, New Mexico "Zuni Language Development/ Education Project"	$ 50,000	K-12	2000

Oneida Indian Nation of New York Oneida, New York "Oneida Pre-School Bilingual/ Bicultural Enrichment Program"	$ 50,000	3-5	70
Cherokee Tribe of Oklahoma and Cherokee Women Club of Cookson Tahlequah, Oklahoma "Bilingual Child Development Center"	$ 65,000	3-5	19
Plains Apache Indian Tribe Apache, Oklahoma "Language and Culture Program"	$ 24,500	K-12	450
Wichita Tribe of Oklahoma Anadarko, Oklahoma "Wichita Cultural and Language Program	$ 55,100	K-12	300
Tribal Council Ogalala Sioux Reservation Pine Ridge, South Dakota "English-Lakota Programmed Instruction in Health Education K-6"	$102,690	K-6	500
Quileute Tribal Council La Push, Washington "A Project for the Accumulation and Recording of the Quileute Language"	$ 25,000	K-12	200
Oneida Tribe of Wisconsin DePere, Wisconsin "Oneida Language Project"	$ 75,186	K-12	7000
Great Lakes Inter-Tribal Council Lac du Flambeau, Wisconsin "Wisconsin Native American Languages Project: Phase III"	$160,000	K-12	18,000

The following are representative descriptions of the bilingual projects funded under the Indian Education Act:

—The "Alaska Native Bilingual/Bicultural Programs" project will use an existing model to demonstrate the development and implementation of bilingual and bicultural learning materials and instructional services in six rural Indian Aleut and Eskimo schools serving 585 students. The overall goals include: student competency in two languages; improved student self-image and social skills; narrowing the gap in parent-school relationships; hiring Native Alaskan people as instructors and moving toward teacher certification; and developing materials in each language for improving reading skills. Training activities include bilingual instruction training, inservice training, and classroom training. A linguist will work with Native people and educators to develop materials.

--The "Navajo Education Center for Training Bilingual and Bicultural Teachers for Navajo Education" program is designed to meet the Associate of Arts degree requirements at Navajo Community College. Indian graduates will be equipped to teach Navajo history, culture, and language in elementary and secondary schools.

--The "San Juan Pueblo Bilingual Program" has as principal objectives: a) to increase Tewa and English communication skills, b) to design a Tewa social studies curriculum for grades K-3, c) to provide staff development in bilingual education.

The design for operation consists of four main components: materials development, community participation, staff development, and classroom instruction. The project receives the cooperation of a local college, which grants college credit to project staff for inservice instruction.

STRENGTHENING DEVELOPING INSTITUTIONS PROGRAM, HIGHER EDUCATION ACT, TITLE III

The Higher Education Act of 1965, Title III, as amended, provides for assistance to developing institutions of higher education which demonstrate a desire and a potential to make a substantial contribution to higher education resources of the Nation but which, for financial and other reasons, are struggling for survival and are isolated from the main currents of academic life. Activities supported may include efforts to improve the quality of curriculum, faculty, student services, administration, and other areas of institutional operations. Appropriations for the program were $110 million in 1975, with the same appropriations provided for 1976.

Eligible institutions must meet the requirements of the Office of Education for participation in programs supporting institutions of higher education for a 5-year period preceding the grant. In the legislative amendments of 1972 and 1974, Congress expressed its concern for the special needs of Indian and Spanish-speaking people by authorizing the Commissioner to waive these requirements for institutions which make higher education more available to Indians and to waive 3 years of the requirements for institutions when this would result in substantially increasing educational opportunity for Spanish-speaking people.

The program provides assistance to eligible applicant institutions in the form of "advanced" institutional grants and "basic" institutional grants. Advanced grants are multiyear awards, extending up to 5 years, for the development of comprehensive planning, management, and evaluation capabilities, for undertaking special purpose programs and innovative projects, and for activities directed toward the attainment of financial self-sufficiency. The basic grants provide assistance in general areas of institutional operations among applicants whose pace of development is necessarily modest.

Basic Institutional Development Program

Basic grants in the amount of $53 million were made in fiscal year 1975 to 207 institutions. Among these, 26 grants were made to institutions serving American Indian students, and 24 grants were made to institutions serving substantial numbers of Spanish-speaking students. These grants were in the amount of $7.9 million to the 50 institutions involved. The funds supported various areas of institutional operations. The amount directed specifically to bilingual education varies considerably from institution to institution, ranging from support of counseling and tutoring services for students with English language difficulties to employment of bilingual instructors or development of bilingual teacher education programs.

Some examples of the range of activities supported which involved at least some components of a bilingual education program were:

—At Laredo Junior College (Texas), 12 bilingual instructors and counselors were added to the staff with title III funds.

—The College of Sante Fe supported development of a teacher training program, including preparation of teachers of Spanish, development of a new minor in bilingual education, and the addition of a bilingual/bicultural education major.

—St. Edwards University (Texas) supported bilingual tutoring services to students.

—Southern California College increased recruiting efforts for Spanish-speaking students and provided tutoring services for them.

Advanced Institutional Development Program

This program has awarded $10 million in multiyear grants from fiscal year 1973 through fiscal year 1976 to colleges and universities serving substantial numbers of Spanish-speaking students.

The following are examples of funded activities:

—East Los Angeles College, Los Angeles, Calif., is focusing efforts on improving bilingual/bicultural education for students. This includes revising and strengthening curriculum, developing bilingual materials for the learning resource center, and providing intensive courses in English for students whose dominant language is Spanish.

—Pan American University, Edinburg, Tex., is establishing a language and linguistics research center which will study the language and learning problems of local Spanish-speaking students. The results will be applied in redesigning courses and improving services provided students whose dominant language is Spanish.

—Texas Southmost College, Brownsville, Tex., is refining and expanding its SPEED (Special Services to Educationally and Economically Disadvantaged) Program. One hundred Mexican-Americans with minority/poverty backgrounds are recruited annually and provided with a highly personalized and individualized program in the communication and computation skills prior to admission to non-SPEED college courses. Included is an intensive program of counseling. Also funded are a study center and a program to develop bilingual materials so that students may receive instruction in their dominant language.

—The John Jay College of Criminal Justice, New York, N.Y. The college's target population and open admissions students include substantial numbers of Hispanic students To assist these students in attaining success in the fields of criminal justice and public safety, the college is providing diagnostic testing, instructional and skills development programs, and special counseling strategies.

—El Paso Community College, El Paso, Tex., is focusing on curriculum development and improvement programs which will result in bilingual courses in the arts, sciences, and technical and vocational fields. Supporting curriculum development to further improve the academic success of the predominantly bilingual student body are a career awareness resource center, an expanded placement office, a testing center, and an improved faculty advising program.

—Cochise College, Douglas, Ariz., will develop materials and testing instruments in order to provide an intensive, performance-based language immersion program in both English and Spanish to non-native speakers. To further serve the needs of the large number of Spanish-speaking students, media materials and soundtracks in Spanish will be produced for courses, particularly those in the college development program.

NATIONAL INSTITUTE OF EDUCATION: RESEARCH IN BILINGUAL EDUCATION

The National Institute of Education was authorized under Title III of the General Education Provisions Act of 1972 (Public Law 92-318). The legislation includes a strong mandate to support equal educational opportunity through research for all children regardless of "race, color, religion, sex, national origin, or social class." Consistent with this mandate, the Institute established an Educational Equity Group among five other priority areas, and identified within the Equity Group a Multicultural/Bilingual Division.

The National Institute of Education Multicultural/Bilingual Division carries out a broad program of research and development that responds to the authorization in the General Education Provisions Act. Products and information from Division projects will be actively disseminated and, in many cases, already have been field tested or adopted with substantial numbers of children. Among these projects are the following:

—Catalog of Bilingual Curriculum Materials. The Catalog contains a descriptive and contrastive analysis of numerous curriculum materials presently used in bilingual programs for Spanish and Asian American languages.

—Teacher Training. A research-based teacher training workshop is under preparation that focuses on attitudes toward language-minority children and knowledge of procedures for instruction in language arts (oral language and reading).

—Catalog of Assessment Instruments. This catalog will contain a descriptive and contrastive analysis of assessment instruments used in bilingual education for language assessment, including reading, and for content area assessment, including social studies and math. The need for new instrument development will be reviewed.

—Reading Assessment in Spanish. Assessment instruments have been produced to measure progress in learning to read in Spanish. Further instrument development is presently underway.

—Supplementary Readers for American Indians. Readers are being developed for American Indian children that are based on cultural input from Indian communities. Panels of educators and community leaders also actively review the products as they are developed.

The Institute is also authorized under Title VII of the Elementary and Secondary Education Act of 1974 (Public Law 93-380) to carry out a program of research in the field of bilingual education "in order to enhance the effectiveness of bilingual education programs" consistent with the provisions of its own authorization. The National Institute of Education Multicultural/Bilingual Division was established in part to respond to this mandate. But additionally, the act authorized the Director of the National Institute of Education and the Commissioner of Education to

(1) undertake studies to determine the basic educational needs and language acquisition characteristics of, and the most effective conditions for, educating children of limited English-speaking ability;

(2) develop and disseminate instructional materials and equipment suitable for use in bilingual education programs; and

(3) establish and operate a national clearinghouse of information for bilingual education, which shall collect, analyze, and disseminate information about bilingual education.

Activities associated with the mandate are scheduled to begin with the clearinghouse, for which a study already has been completed on design considerations. Development of the clearinghouse will be initiated following additional analysis of user needs. Studies on language acquisition and the most effective conditions for educating children of limited English-speaking ability will also be initiated, as will the development and dissemination of instructional materials.

STATE BILINGUAL EDUCATION PROGRAMS

Introduction

The scope of bilingual education, as measured by State legislation and programs, is increasing. Seven States and the Virgin Islands now require bilingual education under certain conditions. Another 30 States either have legislation explicitly permitting bilingual education or have no specific provisions one way or another. Twelve States still have statutes which prohibit bilingual education. With respect to financial support for such programs, the picture is more bleak. Only 12 States, 3 territories, and the District of Columbia reported that they provided funds for classroom instruction in bilingual education in 1974-75.

These conclusions are based primarily upon two studies, one by the Lawyer's Committee for Civil Rights Under Law and published by the Center for Applied Linguistics[1] and the other by a survey of State education agencies and U. S. territories undertaken by the National Center for Education Statistics (NCES) in the fall of 1975. The Office of Education is supporting a more detailed study of State bilingual programs, the results of which will be reported in the Second Report to the President and the Congress.

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[1] Geffert, H.N., et al. The Current Status of U. S. Bilingual Education Legislation. Papers in Applied Linguistics, Bilingual Education Series, 4. (Arlington, Virginia: Center for Applied Linguistics, 1974).

State Legislation Pertaining to Bilingual Education

—Mandatory Legislation. Seven States—Alaska, Illinois, Massachusetts, Michigan, New Jersey, Rhode Island and Texas—and the Virgin Islands now have legislation requiring bilingual education programs to be provided under certain circumstances for limited-English-speaking children enrolled in their schools who come from language backgrounds other than English. Massachusetts, Michigan, New Jersey and Rhode Island require such programs if there are 20 or more children from the same language background in a school district. Texas requires a bilingual program for 20 or more from the same language background enrolled in a given grade level in a school district. Illinois requires a program if there are 20 or more limited-English-speaking children from the same language background in a school; the Virgin Islands, if there are 10 or more in a school; and Alaska, if there are 8 or more in a school. In addition, the Pennsylvania Department of Education has issued regulations requiring school districts to provide bilingual/bicultural or English-as-a-second-language programs for all children whose dominant languages are other than English. The California bilingual education legislation requires school districts to provide special assistance to all non-English-speaking children but does not require bilingual education.

—Permissive Legislation. In nine States—Arizona, California, Colorado, Connecticut, Louisiana, Maine, New Mexico, New York, and Oregon—as well as in the territory of Guam, there is legislation which authorizes school districts or schools to develop bilingual education programs to meet the needs of limited-English-speaking children. In addition, the State program for minority and disadvantaged children in Washington includes, as a priority, bilingual education programs.

—1974-75 State Funds For Bilingual Education. Twelve States, three territories and the District of Columbia reported that they provided funds specifically for bilingual education programs in schools in their jurisdictions in 1974-75. (See Table 5.) The States were Alaska, Arizona, California, Colorado, Illinois, Louisiana, Massachusetts, New Mexico, New York, Texas, Utah, and Washington. The territories were Guam, the Trust Territory of the Pacific Islands, and the Virgin Islands. In addition, Delaware, Maryland, and Rhode Island reported that they provided small amounts for training of teachers and other personnel to work with limited-English-speaking persons. Georgia, Hawaii, Indiana, Kansas, and Virginia reported that some State money supported programs or training activities for teachers of this group, but that the exact amounts and the nature of the training activities are unknown.

The 15 State-level jurisdictions that provided funds for classroom bilingual instruction reported a total of probably over $40 million dollars. (The exact amount is not known because some States did not separate money for classroom instruction from money for teacher training.) It should be noted, however, that the Trust Territory alone accounts for over $10 million, probably 20 to 25 percent of the total, and that four more States—California, Illinois, Massachusetts, and New York—account for another 50 to 60 percent. Only nine States were able to report the amounts spent by local school districts for bilingual education and four States—Massachusetts, New York, Pennsylvania, and Texas—accounted for approximately 93 percent of the total. With respect to local funds for bilingual education, then, the picture is very incomplete.

TABLE 5

EXPENDITURES IN 1974-75 FOR LIMITED-ENGLISH-SPEAKING PERSONS
AS REPORTED BY SEA's

	STATE FUNDS	LOCAL FUNDS
TOTALS	$45,089,089	$56,753,132
Alabama	-0-	a
Alaska	800,000 b	a
Arizona	738,825 b	a
Arkansas	-0-	a
California	7,161,370 b	a
Colorado	199,000	a
Connecticut	-0-	1,652,045
Delaware	2,000 c	107,200
District of Columbia	d	700,000
Florida	-0-	a
Georgia	a	a
Hawaii	a	a
Idaho	-0-	a
Illinois	8,280,000 b	a
Indiana	a	a
Iowa	-0-	a
Kansas	a	a
Kentucky	-0-	a
Louisiana	1,360,000 b	a
Maine	-0-	a
Maryland	2,500 c	a
Massachusetts	4,000,000	10,000,000
Michigan	-0-	a
Minnesota	-0-	a
Mississippi	-0-	a
Missouri	-0-	a

See footnotes at end of table.

Montana	-0-	a
Nebraska	-0-	a
Nevada	-0-	a
New Hampshire	a	a
New Jersey	-0-	a
New Mexico	1,220,300 b	a
New York	8,477,151 b	13,001,530
North Carolina	-0-	a
North Dakota	-0-	a
Ohio	a	a
Oklahoma	-0-	a
Oregon	-0-	345,000
Pennsylvania	-0-	14,677,209
Rhode Island	50,000 c	a
South Carolina	-0-	a
South Dakota	-0-	a
Tennessee	-0-	a
Texas	1,850,000 b	15,770,148
Utah	250,000 b	a
Vermont	-0-	a
Virginia	a	a
Washington	450,000	a
West Virginia	-0-	a
Wisconsin	-0-	500,000
Wyoming	-0-	a
American Samoa	a	a
Guam	52,343 d	d
Puerto Rico	a	a
Trust Territoy	10,185,600	d
Virgin Islands	10,000	d
Canal Zone	-0-	d

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a Data unavailable
b Amount includes funds for teacher training
c Funds for teacher training only
d Inapplicable

—Participation in Programs to Meet the Needs of Limited-English-Speaking Persons. Of the jurisdictions which reported categorical funds for bilingual education or other special programs to meet the needs of limited-English-speaking students, all except the States of Colorado, Utah, and Washington were also able to provide data on the numbers of individuals participating in the State-funded programs. However, the States were much less able to provide data on participation in locally funded programs. Furthermore, because special programs in a given school or district are frequently funded from various sources —including in the case of bilingual education programs, the Emergency School Aid Act, Title I and Title VII of the Elementary and Secondary

Education Act, and the local and State contributions—it is difficult to obtain an unduplicated count of children who are being served with a given type of program. Nevertheless, the yearly censuses of Massachusetts, Pennsylvania, and Texas and the statistics of Guam, the Trust Territory of the Pacific Islands, the Virgin Islands, and the District of Columbia provide total participation data as reported by these jurisdictions. California undertook a special survey of all school districts in April 1975 which provided similar data for the reporting schools and districts. The results of the regular censuses and statistics cited and the special survey in California are reported in Table 6.

Continuing problems in gathering reliable data on program participation for limited-English-speaking persons are the variations in objectives and types of programs and in the definitions of bilingual/bicultural education. In addition, even State agencies administering mandatory programs with relatively specific legislation and guidelines are often unable to monitor individual programs in all their school districts. To date it has been impossible to obtain data from State agencies in such a form that the kinds of services provided a given group of participants can be determined with any assurance.

TABLE 6

PARTICIPATION IN PROGRAMS FOR LIMITED-ENGLISH-SPEAKING CHILDREN

JURISDICTION	NUMBER OF CHILDREN
California	113,074
District of Columbia	816
Guam	3,281
Massachusetts	10,421
Pennsylvania	8,881
Texas	26,845
Trust Territory of the Pacific Islands	53,501
Virgin Islands	300

—State Bilingual Teacher Education Activities. Nine States and Guam reported that certain institutions of higher education in their jurisdictions were approved to offer training programs for teachers and others preparing to work with limited-English-speaking persons. The States are Arizona, California, Hawaii, Massachusetts, Michigan, New York, Pennsylvania, Vermont, and Wisconsin. In the case of Massachusetts,the State also approved seven institutions of higher education to serve as verification centers for the linguistic and cultural competence of candidates for bilingual teacher certification.

Fifteen States provided funds in 1974-75 to train teachers and others to work with limited-English-speaking persons: Alaska, Arizona, California, Delaware, Hawaii, Illinois, Indiana, Louisiana, Maryland, New Mexico, New York, Rhode Island, Texas, Utah, and Virginia. Alaska provided some of the support for the University of Alaska Native Language Center, which develops materials in Eskimo and other Alaska Native languages. The Center also trains bilingual teachers to work with Eskimo and Alaska Native children.

—Certification of Teachers for Bilingual Education Programs. Eleven States—Arizona, California, Delaware, Illinois, Indiana, Michigan, Massachusetts, New Mexico, New Jersey, Texas, and Rhode Island—have developed special requirements for teachers seeking employment in bilingual education programs. In six of the States—Arizona, Delaware, Illinois, Massachusetts, New Mexico, and Texas—the requirements involve a separate certification for bilingual education teachers. In the cases of Indiana, Michigan, New Jersey, and Rhode Island, the requirements involve a bilingual endorsement or specialization in connection with regular certification to teach in the elementary or secondary school. California has both a separate certification and a basic teaching credential with a bilingual-cultural emphasis for its teachers. In keeping with its goal of promoting proficiency in French and other languages as "second languages," Louisiana has a second-language specialist certification but has not yet developed certification for bilingual education.

The National Association of State Directors of Teacher Education and Certification (NASDTEC) approved common standards for all programs preparing teachers for bilingual/bicultural education programs in institutions of higher education. The Nebraska Department of Education, while it has not established certification requirements for bilingual teachers, adheres to the NASDTEC standards for bilingual teacher preparation.

EDUCATIONAL TELEVISION

Introduction

Bilingual television programs have been developed to address problems resulting from minority isolation--whether linguistic, cultural, or racial. The value of bilingual television lies in its potential for reaching a wide audience in breaking down minority isolation while maintaining the dual theme of the bilingual student as a member of an ethnic group and as a member of a larger and complex society.

The aim of the programs is to provide limited-English-speaking children with an experience that helps them learn English, strengthens their self-confidence, instills a deeper pride in their background, and helps provide linguistic and cultural bridges between the home and school and community. For English-speaking children, these programs offer an opportunity to become familiar with a second language and culture. For all viewers, the programs help demonstrate the diversity of this country's languages and cultures.

Current Programs

Bilingual television programs noted below are currently funded by the Emergency School Aid Act (ESAA), Public Law 92-318, Title VII. Several also have nongovernment support. Sections 711 and 704 (b)(2)(B) of ESAA provide public or private nonprofit organizations with funds to develop and produce educational television programs. These programs are available to commercial and noncommercial broadcasters for a nominal charge to defray the cost of duplication and distribution. School systems in areas where a series is being broadcast by a public or commercial station are free to copy it off-air for subsequent use. All ESAA television programs are available for school use without any additional fee.

—Carrascolendas. Carrascolendas was at first intended primarily for Mexican-American children in central and southern Texas but has developed into a national bilingual/multicultural television series over the past 6 years. Its initial funding came in fiscal year 1970 in the amount of $215,000; thirty black and white programs were produced and shown on stations in San Antonio and Austin during and after school.

The series received 2 more years of funding under Title VII, ESEA (Bilingual Education Act): $260,350 in fiscal year 1971 and $537,200 in fiscal year 1972. Thirty color programs were produced each year and were shown on 45 public stations in the 1972-73 broadcast season and 99 stations in 1973-74. The aim and format of the series remained basically the same although the non-Hispanic child also became a part of the intended audience.

In the fourth year, fiscal year 1973, the series received funding under Title VII, ESAA, in the amount of $1,268,730 for 30 programs which were carried on 151 public stations in 1974-75. It was still aimed at 6 to 10 year olds, but the producers were also interested in appealing to various Hispanic cultures—Mexican, Puerto Rican, and Cuban—as well as Anglos and Blacks.

ESAA funding was obtained for fiscal year 1974 in the amount of $1,852,079 for 48 programs aired in the 1974-75 season. In fiscal year 1975, ESAA funding amounted to $1,674,000 for 52 more programs. In recent years, the target audience was expanded to include 3 to 5 year olds. In March 1975 the program was carried by 139 public television stations (and approximately a dozen commercial stations).

According to a Nielsen survey, the program can be seen in 57 to 58 percent of all U.S. television households or by approximately 40 million of the total 70 million households. No information is available on the number of children who view the program either in school or at home. Evidence from its current Public Broadcasting System (PBS) airing indicates that Carroscolendas appeals equally to both English and Latino youngsters.

The series is produced by KLRN-TV, a nonprofit public television station in Austin, Texas.

—Villa Alegre. Like Carrascolendas, Villa Alegre is a Spanish/English series intended for both Latino and non-Latino children 3 through 9 years of age. The series uses both languages about equally in each show and the latin-American cultures as a context for the educational content.

Since its inception in 1972, through fiscal year 1974, Villa Alegre's producers have been funded by the Office of Education in the amount of $5.7 million. Title VII of ESEA made the original funding, but since fiscal year 1973, ESAA funds have been used. In fiscal year 1975, the series received $1,660,000 for 30 more programs. Foundations, principally Ford and Exxon, have also provided funding. An additional grant of $1 million has been made by the Exxon Foundation to underwrite production of 35 more programs, for a total of 135.

Each of the Villa Alegre shows concentrates on one of five content areas: food and nutrition, interpersonal relations, energy, environment, and man-made objects. The non-Spanish speakers are given an opportunity to become familiar with the Spanish language, and all viewers are helped to recognize the advantages of speaking more than one language.

The program is broadcast over 186 PBS stations and, according to a recent Nielsen survey, 65 to 66 percent of all U.S. television households, or approximately 45 million persons, are within range of its coverage. The program is being carried on approximately 20 Spanish language and other commercial stations.

This series is produced by Bilingual Children's Television, Inc., a nonprofit organization chartered in Oakland, California.

—Mundo Real. This bilingual Spanish/English series for children 7 through 12 and their parents is built on a continuing drama format, focusing on a fictional, mainland Puerto Rican family and the problems and opportunities faced by the children in it.

The series has received $250,000 for each of fiscal years 1975 and 1976 for the production of 20 one-half hour shows, 10 of which are available now and 10 of which are in production. It is produced by Connecticut Public Television in Hartford.

Bilingual Television Programs in Production

—La Bonne Aventure. La Bonne Aventure is a French/English bilingual program aimed at the Franco-American children 3 to 7 years old living in Maine, northern New York, and throughout the New England area. The proposed series of twenty 15-minute programs will be taped in the studios of the Maine Public Broadcasting Network (MPBN) at the University of Maine at Orono.

The major goals of the proposed series are to foster self-esteem and to increase knowledge and understanding of Franco-American peers in Maine and other parts of New England in order to reduce minority group isolation and entertain children in the French language while exposing them to simple elements of their rich Franco-American heritage. La Bonne Aventure is geared to the preschool and K-2 audience—the formative years during which cultural and educational bridges to the existing educational system can more easily be constructed.

The series is being produced under an ESAA award of $249,402 to the MPBN.

—Que Pasa, U.S.A. Station WPBT-TV in Miami (which operates under the corporate name of Community Television Foundation of South Florida, Inc.) and Community Action and Research, Inc., have received $250,000 from ESAA for the production of 10 one-half hour television programs. The purpose of the series is to reduce the cultural isolation faced by Cuban-Americans as a result of bicultural pressures and to increase the awareness of non-Spanish-speaking teachers concerning the frustrations experienced by Cuban adolescents as a result of language problems in the public school system. A "situation-comedy" type format will be used, focusing on the generation gap in a typical Cuban-American family.

—La Esquina. This is a television series for Mexican-American high school students designed, through the improvement of human relations skills, to reduce minority isolation and problems related to alienation. Action will take place in a restaurant, "La Esquina," frequented by Chicano and Anglo adolescents, around whose problems the series revolves. The Southwest Educational Development Laboratory of Austin, Texas, is producing the series under an ESAA grant of $250,000.

VII

EVALUATIONS OF BILINGUAL EDUCATION

Federal bilingual education programs may be evaluated at three different levels: local, State and Federal. In some cases, as in ESEA Title VII and the Emergency School Aid Act, local school districts are required to evaluate their projects and report the results to the Office of Education. Although such evaluations may be useful to local authorities and Federal project officers, the data are not comparable and it is not possible to aggregate the results across projects and draw overall conclusions about the programs. The same is true of programs which entail State-level evaluations.

Federal-level evaluations are thus the only ones from which broad conclusions can be drawn; therefore, this First Report on the Condition of Bilingual Education in the Nation will be largely restricted to evaluations of Federal programs. Exceptions are two Federal studies which describe State bilingual education programs and bilingual vocational training programs. It should be noted that this chapter does not include the results from research studies; an effort will be made to synthesize research results for the Second Report.

THE "PROCESS" STUDY OF TITLE VII SPANISH BILINGUAL PROJECTS

The first major study of the title VII program was designed by the Office of Education in 1972 and implemented under contract to Development Associates, Incorporated, of Washington, D.C., in 1972 and 1973. The study was an exploratory effort to provide descriptive information about a representative sample of title VII Spanish bilingual projects and to provide data for program planning. Its specific objectives included:

(1) describing a sample of title VII projects in terms of characteristics of teachers, students, curriculum materials, instructional activities, and parent/community involvement;

(2) analyzing the appropriateness of four "special projects" in research, development, and dissemination,[3] and determining the extent of use of their products and services by local bilingual projects;

(3) determining the impact of the Office of Education policy on the management and operation of title VII projects;

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[3] These four projects were the forerunners of the network of centers funded in 1975. See chapter VI.

(4) compiling a list of attributes of projects that were subjectively judged as successful;

(5) determining the extent to which projects adhered to the Office of Education guidelines and whether such adherence was related to apparent project success.

This evaluation found that the title VII program did appear to have produced enthusiasm and commitment among personnel involved and to have fostered institutional change in recognition of the needs of non-English-speaking children. Most administrators felt that their districts would continue to support bilingual/bicultural education, at least partially, after Federal funding had ended. Regarding project needs, most directors expressed a need for more technical assistance in such areas as management and contracting, language training for teachers, curriculum development, and identifying sources of materials available. Staff members of projects generally indicated that lack of adequate materials had limited their activities, particularly in the fields of culture and history. There was also widespread dissatisfaction with materials that were already available. Field visits to the four "special projects" mentioned above indicated that large amounts of curricular materials from a variety of sources do exist; thus the problem may be in dissemination of materials and of information about materials as well as in availability. There was considerable development of curriculum materials at most local projects.

One of the most pressing needs of local projects was recruitment and development of a trained staff. Fully 80 percent of project directors in the study sample referred to significant or severe shortages of qualified teachers in their districts. Various short-term orientation programs or, on some cases, indepth training programs, had been organized to help prepare teachers for work with bilingual children. The training areas most often mentioned as essential by project administrators included the culture of the students, second-language training, and instructional concepts and methods of bilingual education. Regarding project teachers themselves, however, nearly half of those interviewed felt that they had not received adequate preparation for their work. The study also found that projects varied in linking teacher development to career ladders. While some projects offered similar assistance to teacher aides, others did not do so at all.

Most of the projects studied did have parent/community advisory groups. These groups generally reflected the ethnic background of project students. Attitudes among teachers toward advisory groups ranged from active encouragement to the view that they are a legal requirement to be honored in letter but not in spirit.

At the projects visited at the time of the study, 62 percent of the students were reported as dominant in the Spanish language; however, this judgment was sometimes made by schools on the sole basis of surname. Of the children listed as Spanish-dominant, 79 percent were described as speaking limited English or no English at all.

The median percentage of low-income students over projects was 80 percent. To the extent that project data on children's language dominance and competence are valid, the study showed that the title VII program is well focused on the children whom the legislation was meant to help, although this is somewhat limited by a high degree of mobility by children in and out of project schools.

Most projects based their teaching arrangements on a combination of a bilingual teacher and a bilingual aide, unless such qualified staff was not available. About 23 percent of the study-sample projects were using monolingual English-speaking teachers with bilingual aides at all grade levels. At some projects, paraprofessional bilingual aides were doing clerical tasks, whereas in other projects, the aides had an important role in teaching activities, especially in teaching the Spanish-dominant children. Most projects were teaching from one to four subjects at least partially in Spanish to English-dominant as well as Spanish-dominant students.

The analysis of the researcher's subjective judgments of project success and adherence to the Office of Education guidelines showed that (a) there is variation in project effectiveness as well as in adherence to guidelines, (b) high scores in guidelines-adherence tended to correlate with high success ratings, and (c) the guidelines which seemed to be the best predictors of success were those on materials acquisition and development, staff recruitment and development, project planning, and project management.

A basic goal of the title VII program is to demonstrate approaches to bilingual education which, if effective with children, can be implemented elsewhere at local expense. Most projects in the study sample (30 out of 34) believed that their program could be copied, but there had been few attempts by State agencies or local districts elsewhere to do so. Exchange of information about projects seemed to be on an informal, project-to-project basis. Yet, despite the lack of formal dissemination activities, the study found that bilingual educators wanted to receive such information. A good indication of this was the fact that 31 out of 34 projects had been visited by other organizations interested in bilingual education.

THE "IMPACT" STUDY OF TITLE VII SPANISH BILINGUAL PROJECTS

Following on the exploratory, "process" study, the Office of Education in 1974 designed an "impact" study of Spanish bilingual projects funded under title VII. Implementation of the design was contracted to American Institutes for Research, Inc. (AIR), of Palo Alto, California.

The objectives of the impact study are as follows:

(1) to assess the effect of the title VII program on the school performance of Spanish-dominant and English-dominant children enrolled in a nationally representative sample of bilingual projects;

(2) to identify and describe important characteristics of project students, staff, school context, and of the various instructional approaches in use at the projects;

(3) to assess the effects of these instructional approaches and of student, staff, and context characteristics on student outcomes;

(4) to determine the cost and relative effectiveness of these instructional approaches; and

(5) to assess, as far as possible, whether cognitive and affective outcomes of students are affected by the socioeconomic and ethnic composition of the classroom.

The evaluation focuses on 37 title VII projects in their fourth or fifth year of operation. The study design involves "comparison" classrooms of children whose socipeconomic and cultural backgrounds are similar, but who are not participating in bilingual education projects. For both kinds of classrooms, data are being gathered in the following areas:

(1) student performance at school in English and Spanish language arts, reading, and math;

(2) student attitudes toward themselves, school, and education in general;

(3) student background characteristics, such as language proficiency and parent expectations in education for the child;

(4) characteristics of teachers and staff with reference to training, experience, attitude towards bilingual education, and degree of involvement in project planning and implementation;

(5) classroom activities, language used during instruction, and interactions between students and adults;

(6) characteristics of the school and the district related to the bilingual project; and

(7) community characteristics and attitudes toward bilingual education.

A preliminary report on the impact study, based on data gathering and data analysis during the 1975-76 school year, is scheduled for completion in early 1977. A final report, including additional data collected in the fall of 1976, will be completed later in 1977.

THE "EXPLORATORY" STUDY OF TITLE VII PROJECTS IN NATIVE AMERICAN, PACIFIC AND ASIAN, AND EUROPEAN LANGUAGES OTHER THAN SPANISH

As part of the evaluation of the title VII program, the Office of Education in 1974 designed an "exploratory" study of title VII projects other than Spanish to see if the less prevalent languages posed problems not common to the Spanish projects and therefore not uncovered in other evaluations. Implementation of the design was also contracted to American Institutes for Research as part of the broad evaluation activity including the impact study. Site visits were made during the spring of 1975 to five projects with bilingual programs in Native American languages, two projects in Pacific and Asian languages, and three projects in European languages other than Spanish. The study's findings, conclusions, and recommendations were reported in September 1975.

The purpose of the exploratory study was:

(1) to identify unique features of the languages and cultures involved in those 10 projects which have resulted in differing approaches to bilingual education;

(2) to attempt to explain the relationships among those unique features, the approaches that have been used, and the apparent degree of success of the projects;

(3) to document any systematic difference in the availability of such resources as qualified teachers and appropriate materials;

(4) to document any systematic difference among the costs for bilingual projects for different linguistic and ethnic groups;

(5) to identify concerns and issues which appear to be common to any linguistic or ethnic group or to be common to more than one of them.

The study found that all 10 projects had reviewed at least some materials produced by other bilingual projects, and most projects indicated some benefit to them from materials produced elsewhere. The benefits noted included ideas for developing their own materials, basic materials that could be modified for use in their own projects, or supplementary materials that could be used in the classroom. The study also found, however, that the "special projects" funded under title VII through fiscal year 1974 with a "capacity-building" mission to develop curriculum materials or to assess and disseminate them, and to provide technical services to school projects, had not generally played an important role in materials development or acquisition at the sites visited. Project staff reported that the unique dialects or other linguistic variations, cultural considerations, and curriculum needs of their sites required that materials development be an individual project effort. This attitude toward curriculum development seemed to be shared among most Native American, Asian and Pacific, and Indo-European language groups, judging at least from the study's small sample. Because of the acute lack of instructional materials appropriate to the local language and culture, project staffs spend a great deal of time developing materials—a task for which few have adequate training.

There is an obvious contradiction between, on the one hand, the expressed need for assistance in materials development and the interproject and withindistrict sharing of materials and techniques found by the exploratory study, and, on the other hand, the attitude that most of the effort in curriculum and materials must be done locally to ensure appropriate content. Reconciliation of this contradiction seems to lie in the fact that the sharing of materials produced by other projects appears to have, as its prime benefit, the spreading of new ideas, concepts and techniques rather than the specific materials themselves. The implication of this finding for the newly funded (fiscal year 1975) materials development, resource, assessment, and dissemination centers for these language groups is that, because of variations in languages and dialects, there should be, at least for languages other than Spanish, greater emphasis on the exchange of ideas and techniques in materials development rather than on specific materials which have been developed. This involves concepts of curriculum content, procedures to use in materials development, resources available to materials developers, and (possibly) training specific to materials development. Under this approach, the dissemination centers would periodically provide projects in languages other than Spanish with information about new materials, new techniques, and new resources which have been developed by other projects or have been made commercially available. In addition, center staffs would help to train project staff in materials development, and could provide technical assistance in such areas as editing, printing, design, and graphic reproduction.

Other findings of the exploratory study, pertinent to the service activities of the Title VII program, are summarized below with the recommendation of the contractor.

Differing Approaches to Bilingual Education

Because children's learning needs require differing instructional approaches, some projects have developed a "transitional" approach in which children move as rapidly as possible from working in their home language to working in English, while other projects have felt compelled to work initially toward maintenance of the home language and their children's skills in it. A case in point for the latter approach would be the several Native American language groups whose educational practice has involved learning an oral tradition, developed over centuries, which is passed on to children in daily unstructured learning situations that involve various members of the tribe or village at different times. This procedure contrasts with the tradition of formal education in the United States, which uses English as a medium of instruction, spoken and written, in a classroom situation that has the teacher as a model and facilitator of learning. In an effort to make the two educational traditions work together for the benefit of their children, a number of Native American communities have given priority in their bilingual projects to the development of writing systems for their languages. They believe that what children have learned through oral traditions before coming to school will thus be reinforced and continued at the school. They also intend that new concepts and ideas can thus be presented to the child without his first having to learn a new language. Because of this situation, the report recommends changes in the legislation to permit alternative approaches to meeting the title VII program's basic goals.

Mixed Needs of Children

Some schools have mixtures of various racial and language groups. The report recommends changes in legislation so that children in bilingual-bicultural projects at a school may be grouped as necessary for those projects without violating the intent of civil rights laws.

Involvement of Nonproject Staff

The study also found that bilingual projects are often not well integrated into the district's education system. Teachers who are not part of the project may not feel either involved in or committed to it. Recommendations for improvement include greater emphasis on communication with the district's staff about the purposes, plan, and status of the title VII project; increased participation of nonproject personnel in planning and instruction (possible through team teaching); and anticipation of such problems as displacement of nonproject personnel or lesser inconveniences to them.

Project Funding

Projects often find it difficult to plan the next year's activities and to retain qualified staff because funding has been typically for 1 year only and notification of funding may come only shortly before the start of the school year. The report recommends that the Office of Education consider increasing the period of funding and make every effort to notify districts about funding decisions earlier.

The demonstration objective of the title VII program results in a limited period of project funding and, consequently, of services to children. School districts often find that they do not have the funds to continue projects as a service activity with funding of their own. The report recommends that national program staff assist projects in searching for other sources of funds, and that appropriate changes be made in the legislation, in order to provide supplemental funding in communities such as reservations which do not have a tax base.

THE "EXEMPLARY" STUDY

The Office of Education has long been interested in identifying projects funded with federal monies which have demonstrably increased the rate of achievement gains for their students. Several studies have been conducted to identify effective or "exemplary" projects in compensatory education, focusing on student achievement in the basic skill areas of reading and math. As a part of the evaluation of the title VII program, designed in 1974, a similar study was untertaken looking not only at title VII projects but also at bilingual education projects under other programs, e.g., ESEA Titles III and IV (Indian Education Act) and the bilingual program under the Emergency School Assistance Act (ESAA). This study was also implemented by American Institutes for Research.

The objective of the study was to provide useful guidance to project planners in bilingual education, to parent and community advisory groups, to boards of education, and to teachers and administrators on what has been effective for children of limited English-speaking ability and can presumably be implemented elsewhere with reasonable expectation of similar benefits to similar children. Although the exemplary study predates enactment of Public Law 93-380, that legislation contains some requirements which are parallel to the objective of the study. Section 703(b) mandates that the Commissioner "establish, publish, and distribute, with respect to programs of bilingual education, suggested models with respect to pupil-teacher ratios, teacher qualifications, and other factors affecting the quality of instruction offered in sucn programs." Another pertinent mandate is contained in section 742(c)(1), under which the Commissioner and the Director of NIE must undertake studies to determine basic educational needs and characteristics of language acquisition by "and the most effective conditions for, educating children of limited English-speaking ability."

The exemplary study was completed in 1975 and resulted in the identification of bilingual education projects for which there was good evidence of success. The projects are listed in the title VII section of chapter VI; that section also describes the steps the Office of Education is taking to disseminate the projects.

THE STUDY OF FEDERAL PROGRAMS SUPPORTING EDUCATIONAL CHANGE

In 1973, the Office of Education designed a multiyear study of federally funded programs which are intended to introduce and spread innovative practices in public schools. Referred to as "change agent" programs, they are meant to offer Federal funding on a temporary basis to school districts. The assumption is that successful innovations will be continued and disseminated by districts through other funds after Federal "seed money" is no longer available. Implemented under contract to the RAND Corporation of Santa Monica, California, the evaluation focuses on the ESEA Title III Program, but also includes the Title VII

Bilingual Education Program, Part D of the 1968 Amendments to the Vocational Education Act, and the Right-To-Read Program. The objectives include (a) the identification of factors which tend to promote or not to promote various kinds of changes in the schools, and (b) the description and analysis of the nature, permanence, and extent of dissemination of innovations which are associated with these Federal programs and with various Federal, State, and local practices.

The findings from the first year of the study support those of the "process" study described above. There was very little evidence of dissemination of project models from one district to another in terms of operational characteristics, although the concept of bilingual education did cross district and State lines. Despite funding by title VII of the "Special Projects" for that very purpose, the flow of ideas about instructional techniques and materials was assessed as "inordinately weak."

Dissemination within districts was much more in evidence, particularly in larger districts where the title VII project served only a small proportion of eligible students. The benefits of staff training, management experience, materials, and experience with such characteristics of instructional models as staffing patterns and pupil scheduling were shared within these districts.

Another finding from the study's limited sample of projects was that commercially available bilingual materials were generally unusable without significant adaptation. One result was a great deal of apparently redundant materials development by local districts, and little systematic exploitation of this resource by the title VII program nationally. Still another finding was the severe undersupply of teachers whom project directors identified as "bilingually qualified." The shortage of teachers who match local eligible students on ethnicity was an even greater cause for alarm. State mandates for bilingual education were seen as possibly having a negative effect on cross-cultural bilingual projects funded under title VII. Competition for qualified staff could lead to "pirating" of the voluntary, federally funded program in order to satisfy the staffing needs of the State-mandated program. The rapid expansion in the number of bilingual education projects under title VII and other programs points up the urgent need for an expanding supply of adequately trained staff. Indeed, the plea for expanded training programs for persons interested in working in bilingual education was a common response of persons interviewed in the field.

Further site visits to bilingual education projects were made during the 1975-76 school year. The final report is expected in January 1977.

A STUDY OF STATE PROGRAMS IN BILINGUAL EDUCATION

In 1975, in further response to the reporting requirements of Public

Law 93-380 regarding the condition of bilingual education in the Nation the Office of Education designed a study of State bilingual education programs for which there is a legislative mandate or State funding, or other commitment of State resources, or some combination of these. This study is being implemented under contract to Development Associates, Inc. (DA), of Washington, D.C. One perspective of the study is the effect on a State's activities of the Federal bilingual education programs operating within the State. These programs include not only Title VII of ESEA but also Section 708(c) of the Emergency School Aid Act, Section 306(a)(11) of the Adult Education Act, Section 6(b)(4) of the Library Services and Construction Act, and ESEA Titles I, III and IV (Indian Education Act).

The study's objectives include:

(1) a description and analysis of State programs for persons of limited English-speaking ability of any age level or occupational status;

(2) analysis of the status and accomplishments of those programs;

(3) analysis of State capabilities and activities for coordination of, and technical assistance to, bilingual education projects;

(4) determination of the participation of eligible children enrolled in nonprofit, nonpublic schools in the area to be served by the Federal and State programs;

(5) assessment of the impact of Federal policy in bilingual education upon programs and projects for language minorities in the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands;

(6) preparation of a critical analysis of the current activities and future prospects of State-initiated activities in bilingual education and development of policy-relevant recommendations regarding the improvement of State efforts in bilingual education and the coordination of those efforts with the Federal programs and with other State programs in compensatory education;

(7) development of recommendations on model State statutes designed to promote equal educational opportunity for children of limited English-speaking ability through bilingual education;

(8) preparation of 20 case studies on noteworthy projects or practices in State, regional, or Federal programs which appear to be particularly effective in addressing the issues defined prior to and during the study.

The study is scheduled for completion in the late fall of 1976.

AN ASSESSMENT OF BILINGUAL VOCATIONAL TRAINING

In accordance with the reporting requirements of Public Law 93-380's Part J (Section 192), the Office of Education in the spring of 1975 designed an exploratory study on the status of bilingual vocational training in all 50 States. The study is being implemented under contract to Kirschner Associates, Inc.

The objectives of the study include:

(1) identifying and describing current bilingual vocational training programs;

(2) reviewing the literature, evaluation reports, the reports of research, experimental, and demonstration projects, and other data on enrollments, characteristics of persons enrolled, expenditures, and outcomes;

(3) providing useful information to program staff on methods and techniques of bilingual vocational projects which appear to contribute to, or to inhibit, project success;

(4) through a feasibility and design study, developing techniques through which legislative requirements for assessing the impact of bilingual vocational training programs will be met in the future.

A report on the first three study objectives listed above was completed in the fall of 1976. The feasibility and design study was completed in the summer of 1976.

VIII

ADMINISTRATION OF FEDERAL BILINGUAL EDUCATION PROGRAMS

INTRODUCTION

The focal point for Federal support of bilingual education is the Office of Bilingual Education in the U. S. Office of Education. That office administers title VII of the Elementary and Secondary Education Act (the Bilingual Education Act). Twelve other USOE programs, described in chapter VI, are to some extent involved in bilingual education. In some of these, authorizing legislation requires bilingual education, or at least requires consideration of the needs of limited-English speakers as a program priority. In some programs, bilingual education is simply one way of accomplishing the program goals.

Since the Bilingual Education Program relies heavily on a capacity-building strategy to help State and local governments to meet special educational needs of persons of limited English-speaking ability, the coordination of programs among the levels of educational governance is an important goal of the Federal effort. Coordination among other Federal programs which serve the limited-English-speaking population is also a responsibility of the Office of Bilingual Education.

OFFICE OF BILINGUAL EDUCATION

As noted above, the Office of Bilingual Education administers the Bilingual Education Act (Title VII, Elementary and Secondary Education Act, as amended by Public Law 93-380, Education Amendments of 1974). Until 1975 the program was administered by a Division of Bilingual Education within the USOE Bureau of School Systems. (This Bureau was recently renamed the Bureau of Elementary and Secondary Education.) In Public Law 93-380 the Congress provided that "There shall be, in the Office of Education, an Office of Bilingual Education...headed by a Director...appointed by the Commissioner...." As a result of this mandate, the Office of Bilingual Education was established within the Office of the Commissioner, superseding the Division of Bilingual Education.

Functions of the Office of Bilingual Education

The Office of Bilingual Education provides national leadership in development and administration of the policies of bilingual education of the Federal Government and for the coordination of the various programs which, in whole or in part, address themselves to the needs of persons of limited English-speaking ability. It is directly responsible for the administration of the Bilingual Education Act, which authorizes:

(1) the establishment, operation, and improvement of programs of bilingual education;

(2) auxiliary and supplementary community and educational activities designed to facilitate and expand the implementation of bilingual programs;

(3) adult education programs;

(4) preschool programs preparatory and supplementary to bilingual education programs;

(5) the establishment, operation, and improvement of training programs for personnel preparing to participate in the conduct of programs of bilingual education and auxiliary and supplementary training programs.

Organizational Structure

The Office of Bilingual Education is administratively organized into three divisions and seven branches:

—The Division of Bilingual Education Elementary and Secondary Programs. This Division is responsible for managing demonstration programs in local school districts. It determines needs and initiates and supervises the development of new or improved analytical techniques, standards, policies, and procedures for implementation of bilingual programs. It makes on-site analyses of funded programs for the purpose of identifying model programs and for the purpose of determining compliance with title VII regulations. Functions are performed through three Program Operations Branches for the Central, Eastern, and Western areas of the United States and its territories.

—The Division of Bilingual Education Postsecondary Programs. This Division administers a program of graduate fellowships through its Graduate Fellowship Branch. It also administers through a Professional Development Branch, a program of grants to institutions of higher education, local education agencies, and State education agencies for training activities related to the capacity-building objectives of the Office.

—The Division of Bilingual Education Program Development. This Division administers and coordinates Office of Bilingual Education activities related to State educational assistance and equal education opportunity activities through its State Assistance and Equal Opportunity Branch. A Supportive Service Branch administers a program of support for bilingual education materials development, resource, and assessment/dissemination centers.

BUREAU OF ELEMENTARY AND SECONDARY EDUCATION

Several units of the Bureau of Elementary and Secondary Education (BESE) administer programs with bilingual education components.

The Associate Commissioner for Equal Educational Opportunity Programs is responsible for programs under the Emergency School Aid Act and title IV of the Civil Rights Act. There is a special set-aside of 4 percent of the ESEA appropriation for bilingual grants and special provision for bilingual education television projects. Congress also provided supplemental funds for Title IV, Civil Rights Act bilingual programs, beginning in fiscal year 1975, to support General Assistance Centers and State education agency projects to provide school systems with assistance in meeting desegregation problems related to language proficiency problems of non-English-dominant minority group students.

The Associate Commissioner for Compensatory Educational Programs is responsible for the ESEA Title I program, including the set-migrant students and the Follow Through program. Program operations are carried out through a Division of Education for the Disadvantaged and the Division of Follow Through.

The Associate Commissioner for State and Local Educational Programs is responsible for ESEA Title III projects, which are administered through the Division of Supplementary Centers and Services.

Each of these three groups of programs includes some aspects of bilingual education.

BESE's Office of Libraries and Learning Resources administers programs under the Library Services and Construction Act, which requires assurance in State library plans that priority will be given projects serving areas with high concentrations of limited-English speakers, as well as areas with high concentrations of low-income families.

BUREAU OF OCCUPATIONAL AND ADULT EDUCATION

Grants for State Vocational Education Programs and the special appropriation for bilingual vocational training programs are administered through two divisions of the Bureau of Occupational and Adult Education. The Division of Vocational and Technical Education administers the State plan programs under Part B of the Vocational Education Act, and the Division of Research and Demonstration is responsible for the Part J bilingual vocational training program. The Division of Adult Education is responsible for programs under the Adult Education Act.

OFFICE OF INDIAN EDUCATION

The Office of Indian Education administers grants to State and local education agencies, tribal and other Indian community organizations, and institutions of higher education for elementary and secondary, adult, and teacher training projects, including bilingual and bicultural programs and projects.

BUREAU OF POSTSECONDARY EDUCATION

The Division of Student Services and Veterans Programs is responsible for administering the Special Services Program for Disadvantaged Students, and the Division of Institutional Development administers the Institutional Development Grant program.

RIGHT-TO-READ

The Right-To-Read Office, in the Office of the Commissioner, administers programs including community-based and reading academy projects with bilingual education components.

OFFICE OF PLANNING, BUDGETING, AND EVALUATION

The Office of Planning, Budgeting, and Evaluation is responsible for national evaluations of all programs administered by the Office of Education, including those authorized by the Bilingual Education Act as well as bilingual education components of other OE programs.

THE ROLE OF THE REGIONAL OFFICES

General assistance to individuals of limited English-speaking ability is currently provided through Regional Offices in four categories:

(1) specific program technical assistance under the bilingual provisions of the Emergency School Assistance Act, compensatory education under title I of the Elementary and Secondary Education Act, and Student Special Services under the provisions of the Higher Education Act

(2) staff services to State and local education agencies utilizing "on-board" staff knowledge and experience in bilingual education

(3) coordination of conferences and consultation activities with State and local officials to ensure access to Federal resources for individuals of limited English-speaking ability

(4) acquisition and dissemination of materials and information on the activities of the Education Division which impact on educational opportunity for individuals of limited English-speaking ability

Approximately 30 professional staff members are currently assisting with bilingual education activities in the 10 Regional Offices. Additional staff resources are utilized when appropriate, particularly in technical assistance and dissemination efforts.

The Regional Offices have the potential and capability to become heavily involved in bilingual program development. The level of relevant expertise in the field ranges from proficiency in at least one language other than English to general knowledge of the culture and lifestyles of various minority groups and experience in effectively dealing with the problems of communities where minority children reside.

Most of the Regional Offices have at least the following sources of information dealing with bilingual and related programs:

— Education Research Information Center documents

— Federal Register

— Records of federally funded programs

— Information from the Division of Bilingual Education

— Information about the Emergency School Aid Act and other Office of Education programs

The Regional Offices can also utilize other State and regional resources such as:

- ESEA staff members responsible for the dissemination of information on bilingual education
- The Civil Rights Act, Title IV, General Assistance Centers established to provide technical assistance to school districts which need help in complying with Civil Rights Act requirements to provide equal educational opportunity for school children with limited English-speaking ability
- The ESEA Title VII Centers for information on materials, training, and recommended practices and programs

COORDINATION

The Education Amendments of 1974 (Public Law 93-380) include several titles in which reference is made to bilingual education and in which the need for coordination among the various programs is clearly established. The responsibility for administration of these programs is located among most of the major program organizations in the central and regional offices.

In recognition of the magnitude of the Federal bilingual education effort and the complexities of organization and administration of Office of Education programs involved, the Commissioner of Education has established a Coordinating Council for Bilingual Education.

The Council is charged with responsibility for developing strategies to deal with problems of coordination, communication, and cooperation among programs identified in the legislation as well as those whose administrative responsibilities include areas affected by one or more aspects of the total bilingual education effort.

The membership of the Council is as follows:

Chairman - Director, Office of Bilingual Education

Members - Deputy Commissioners and Directors or their designees from:

Office of Management

Office of Planning

Bureau of Elementary and Secondary Education

Bureau of Education for the Handicapped

Bureau of Occupational and Adult Education

Office of Indian Education

Teacher Corps

Regional Liaison Unit

National Institute of Education

Regional Commissioners' Standing Committee on Bilingual Education

APPENDIXES

APPENDIX A

ACTIVITIES OF THE NATIONAL CENTER FOR EDUCATION STATISTICS RELATED TO THE BILINGUAL EDUCATION REPORT

The primary role of the National Center for Education Statistics (NCES) is to meet the Congressional mandate for a count of the number of children and adults with limited English-speaking ability (LESA). In addition, statistical support is provided to the Commissioner of Education for his mandated report on the need for bilingual education, the staff to provide it, and a 5-year plan, including cost estimates, for meeting the need.

Specific projects of NCES in this effort are:

1. "bilingual" supplement to the spring 1976 Survey of Income and Education (SIE)
2. "Survey of Languages" supplement to the July 1975 Current Population Survey (CPS)
3. fall 1975 Survey of Institutions of Higher Education (IHE)
4. fall 1976 Survey of Teachers' Language Skills
5. fall 1976 SIE Pupil Survey
6. fall 1975 Survey of State Education Agencies

Two of these six surveys, the CPS and SIE surveys, relate directly to the legislative mandate in section 731(c)(1)(A) of the Bilingual Education Act, Title VII, ESEA, as amended by Public Law 93-380, to report, not later than July 1, 1977, the results of a survey of the number of children and adults with limited English-speaking ability (LESA) from non-English-dominant environments. (Section 501(b)(4) of Public Law 93-380 makes NCES responsible for the survey.) The SIE, to be conducted by the Bureau of the Census in spring 1976, will be the vehicle of response to this mandate and will provide State-by-State estimates by language of the number of children and adults with LESA according to legislative criteria. Data from this survey will also be used in the Commissioner's mandated report to Congress due November 1, 1977.

The CPS supplement, conducted by the Bureau of the Census for NCES in July 1975, served as a pilot study for the SIE and also provided national estimates of the maximum numbers of children and adults in the population from non-English-dominant environments. Data from the CPS is included in this report.

The other four NCES bilingual activities stem from requests from the

Office of Education and will provide data to be used in the Commissioner's second mandated report, including an assessment of "the number of teachers and other educational personnel needed to carry out programs of bilingual education" for the target populations. The SIE will identify the *potential* child and adult populations in need of bilingual education. The *SIE Pupil Survey* will provide national estimates of the number of elementary school children, ages 4-13, identified in the SIE sample as meeting the legislative LESA criteria who are not being served in a bilingual education program or who are being served inadequately. This number will constitute the base number in the needs assessment.

The number of teachers and other staff required to meet this need will be calculated, using a selected teacher/pupil ratio. The number of teachers available to meet the need will be estimated from the *IHE* and the *Survey of Teachers' Language Skills*. The IHE survey will provide estimates of the number of teachers and other instructional staff currently being trained for bilingual education programs as well as provide detailed profiles on each college and university offering or planning to offer bilingual programs or courses. *The Survey of Teachers' Language Skills* will provide estimates of the number of teachers currently in bilingual education assignments as well as the number who have the language or educational capabilities to teach in bilingual programs but who are not being utilized in this capacity. Data on the number of teachers "in the pipeline" and in the "bilingual education teacher reserve" may be used to indicate whether or how many additional teachers need to be trained to provide a bilingual education to all who need it. In this respect, the Congress and HEW will be equipped to evaluate whether the current magnitude of the federally funded fellowship program for bilingual education teachers is appropriate to meet the need for additional teachers.

The Survey of State Education Agencies on Limited-English-Speaking Persons from Non-English-Dominant Backgrounds was conducted in fall 1975. This survey gathered information concerning the extent and availability of statistics on the number of limited-English-speaking persons and the programs conducted for them maintained at the State level, the legislative authorization for special programs for these persons, and the existence and characteristics of State certification requirements for teachers and other personnel preparing to work with them. Information was also gathered on college and university programs to train personnel for special programs for limited-English-speaking persons.

APPENDIX B

1975 SURVEY OF LANGUAGES

SURVEY METHODOLOGY

Estimates of the size of the limited-English-speaking population in this report are derived from data collected by the Bureau of the Census through a special language supplement added by the NCES to the July 1975 Current Population Survey (CPS). The CPS is a sample of housing units or households. About 47,000 households were eligible for potential interviews in July 1975. These households were located in every State and the District of Columbia and were chosen from a sampling frame of 461 primary sampling units (PSU's). Within each of the PSU's, enumeration districts consisting of approximately 300 households were selected, with probability of selection proportionate to population size; and within each enumeration district, a compact cluster of four households was chosen. Different sample procedures were followed in rural areas and in areas with new construction.

The data are collected by trained interviewers who are sent to designated housing units to conduct interviews. In each of the sampled households a 10 to 15 minute interview was conducted with any responsible adult household member who happened to be at home at the time. This household member was responsible for providing information about himself and every other adult household member 14 years of age and older, and about each child 4 to 13 years of age living in the household. Questions in the language supplement were asked about each child, and both regular CPS questions and language questions were asked about each adult.

ESTIMATION PROCEDURES

The estimating procedure used in this survey involved the inflation of the weighted sample results to independent estimates of the civilian noninstitutional population of the United States by age, race, and sex. These independent estimates were based on statistics from the 1970 Census of Population; statistics of births, deaths, immigration, and emigration; and statistics on the strength of the Armed Forces.

NONRESPONSE

Approximately 2,000 households or 5 percent of the 47,000 households eligible to be interviewed either refused to participate in the survey or were not at home. Of the 45,000 households responding to the regular CPS items on employment status, about 3,000 households or 6.7 percent either refused to answer or were not asked any of the questions on the language supplement. (A small sample of these 3,000 households was taken and indications were that many of these cases were telephone interviews conducted with the elderly.) Response rates varied for individual items on the language supplement. No missing values were imputed or predicted from information supplied in other items. Nonresponse should not have a large effect on the sample estimates provided if nonrespondents are not disproportionately persons with a particular characteristic. This assumption can only be validated through followup studies on the non-respondents.

VARIABILITY OF ESTIMATES

The estimates in this report are subject to both sampling and nonsampling errors. Sampling errors occur because a sample of the population is taken rather than a census or complete count. Nonsampling errors can be attributed to several sources, including the respondent, interviewer, questionnaire, and data processing procedures, and would also be present if a census were taken.

The standard error is a measure of variability which can be used to evaluate the reliability of the estimates in terms of the magnitude of errors due primarily to sampling. The standard errors as computed and given in tables A and B which follow include sampling errors as well as part of the effects due to nonsampling errors. They do not include any effects due to systematic nonsampling errors (discussed under "Nonresponse" above); consequently, the total error may be larger than stated. In addition, the standard errors shown are generalized estimates of variability which were computed for the language supplement items as a whole, rather than for individual items. This is common practice as the task of computing standard errors for each item becomes a formidable one when a large number of items are to be estimated from a survey.

INTERPRETATION OF STANDARD ERRORS FOR ESTIMATED NUMBERS (TABLE A)

Once the sample estimate and its standard error are known, it is possible to construct a confidence interval around the estimate. The confidence interval computed one standard error above the sample estimate and one standard error below the sample estimate tells us that we can be 68 percent confident (or the chances are 2 out 3) that this interval contains the average of all possible samples. For example, suppose that 500,000 persons are estimated to have a particular characteristic. An estimate of this size has a standard error of 70,000 persons (table A). One standard error above the samples estimate is 570,000 persons (or 500,000 + 70,000), while one standard error below is 430,000 persons (Or 500,000 - 70,000). The interval from 430,000 persons to 570,000 persons has a 68 percent chance of containing the average estimate calculated from all possible samples of 47,000 households.

By taking the sample estimate plus two times the standard error we can make the statement that there is a 95 percent chance (or the chances are 19 in 20) that this interval contains the average of all possible samples. The 95 percent confidence interval for the 500,000 person estimate would range from 360,000 persons to 640,000 persons (or from 500,000 - 140,000 to 500,000 + 140,000).

Standard errors for estimates not given in table A can be easily interpolated. For example, suppose we want the standard error for an estimate of 3,000,000 persons. The standard error of this estimate can be determined by interpolating between the standard errors shown in table A for 2,500,000 persons and 5,000,000 persons and is approximately 177,000 persons.

INTERPRETATION OF STANDARD ERRORS FOR ESTIMATED PERCENTATES (TABLE B)

Variability estimates are given in table B for estimates expressed in percentages. Standard errors for estimated percentages depend on the magnitude of the percentage itself and on the magnitude of the base from which the percentage was calculated. Confidence intervals are computed and interpreted in the same way as discussed above. For example, suppose that 5 percent of the persons in the survey have a particular characteristic and that this percentage is derived from a base of 5,000,000 persons. The standard error shown in table B is 1.0 percent. Consequently, the 95 percent confidence interval would range from 3 to 7 percent. We would have 95 percent confidence that this interval contains the average percentage calculated from all possible samples of 47,000 households.

Standard errors for estimated percentages not given in table B can also be interpolated. However, this may involve interpolating for either the estimated percentage or base of the percentage or for both. For example, suppose we want to estimate the standard error for a 15 percent estimate derived from a base of 1,500,000 persons. Using table B, interpolate the standard error for a 15 percent estimate first using a base of 1,000,000 persons (resulting in an error of 3.4 percent) and then using a base of 2,500,000 persons (resulting in a standard error of 2.2 percent). Interpolate the standard error for a base of 1,500,000 persons using the standard errors derived above. This procedure results in a standard error of approximately 3.0 percent for a 15 percent estimate with a base of 1,500,000 persons.

TABLE A

STANDARD ERROR OF ESTIMATED NUMBERS OF PERSONS

(68 chances out of 100)

Size of estimate	Standard error	Size of estimate	Standard error
25,000	13,000	1,000,000	102,000
50,000	20,000	2,500,000	164,000
100,000	29,000	5,000,000	229,000
250,000	49,000	10,000,000	315,000
500,000	70,000	25,000,000	500,000
		50,000,000	620,000

TABLE B

STANDARD ERRORS OF ESTIMATED PERCENTAGES OF PERSONS

(68 chances out of 100)

Estimated percentage	Base of percentage (thousands)											
	50	100	250	500	1,000	2,500	5,000	10,000	25,000	50,000	100,000	200,000
2 or 98	6.2	4.4	2.8	2.0	1.4	0.9	0.6	0.4	0.3	0.2	0.1	0.1
5 or 95	9.6	6.8	4.3	3.0	2.1	1.4	1.0	0.7	0.4	0.3	0.2	0.1
10 or 90	13.2	9.4	5.9	4.2	3.0	1.9	1.3	0.9	0.6	0.4	0.3	0.2
25 or 75	19.1	13.5	8.5	6.0	4.3	2.7	1.9	1.4	0.9	0.6	0.4	0.3
35 or 65	21.0	14.9	9.4	6.7	4.7	3.0	2.1	1.5	0.9	0.7	0.5	0.3
50	22.0	15.6	9.9	7.0	4.9	3.1	2.2	1.6	1.0	0.7	0.5	0.3

Appendix 5

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
WASHINGTON D.C. 20202

JUN 1 3 1977

Honorable Carl D. Perkins
House of Representatives
Washington, DC 20515

Dear Mr. Perkins:

With this letter I am continuing the regular transmittal to you of the results of major planning and evaluation studies carried out on programs and policies sponsored by the U.S. Office of Education.

I am enclosing an Executive Summary of a recently completed report entitled "A Study of State Programs in Bilingual Education." The Office of Education designed the study and contracted with Development Associates of Washington, D.C., to conduct it. The principal objective was to provide information on the current status of bilingual education in the 50 States and outlying jurisdictions, including authorizing legislation, mandated or prohibited approaches and practices, and sources of funding. The study was done in partial fulfillment of a legislatively mandated report to be made by the Commissioner of Education on The Condition of Bilingual Education in the Nation [P.L. 93-380, Section 731(c)] due February 1978.

The study found that, on the whole, States are playing a limited but growing role in bilingual education. The number of states which mandate or permit bilingual education has grown to 40. State financial support is still limited, however; in most States, federal funds for bilingual education exceed State funds. With a few exceptions, the number of State Education Agency personnel involved in bilingual education is small and, consequently, the provision of statewide leadership and technical assistance to local school districts is quite limited.

Staff members of Senate and House subcommittees dealing with education have been provided with a copy of the Final Report in its entirety. If you would like any additional information about the study, please contact Mr. Tetsuo Okada, Office of Planning, Budgeting and Evaluation U.S. Office of Education, Room 3040, 400 Maryland Avenue, S.W., Washington, D.C. 20202 (202/245-7875).

Sincerely,

J W Ev

John W. Evans
Assistant Commissioner for
Planning, Budgeting and Evaluation

Enclosure

EXECUTIVE SUMMARY

A Study of State Programs in Bilingual Education

U.S. Office of Education
Office of Planning, Budgeting and Evaluation
June 1977

EXECUTIVE SUMMARY

A Study of State Programs in Bilingual Education

This study was designed to describe and analyze State programs in the field of bilingual education, including authorizing legislation, identification of goals and objectives, mandated or prohibited approaches and practices, State requirements for staff qualifications, training activities, materials and technology, evaluation and planning. The work was done in partial fulfillment of a legislatively mandated report on The Condition of Bilingual Education in the Nation [P.L. 93-380, Section 731 (c)] due February 1978. The study was done under contract to Development Associates, Inc. of Washington, D.C., in accordance with specifications from the U.S. Office of Education.

Methodology

The study design divided the 50 States into two groups: (1) those States which had ongoing bilingual education programs and in which information was collected by personal interviews (20 States), and (2) those States which did not have bilingual programs at the time of the study and which were canvassed by a mail questionnaire only. In addition to the 20 States with bilingual education programs, site visits were made to Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.

Most of the data and information contained in this study was gathered by field teams during 1975-76 in a series of visits to State Educational Agencies (SEAs) and Local Education Agencies (LEAs). The 50 LEAs visited had been nominated by OE Regional Offices or SEAs as having projects of exemplary quality. Of these, 15 projects were finally selected for documentation and inclusion in this study as noteworthy.

Scope of Work

Detailed discussions and comparisons among the various States are provided in the final report with respect to the following topics:

- State bilingual education legislative provisions as of December, 1976.
- Funding of State bilingual programs.
- Selected characteristics of State bilingual education programs, including numbers of students enrolled, type of program implemented (transitional/maintenance/other), and other selected characteristics.

- State capabilities and activities for coordination and providing technical assistance to bilingual education programs, including descriptions of staff,project planning, and leadership activities.

- Participation of non-profit, non-public students in State bilingual education programs.

- Impact of Federal bilingual education policy on extra-State jurisdictions.

- Descriptions of noteworthy local projects.

Major Findings

State Legislation

- As of December, 1976, 10 States have adopted mandatory biligual instruction and 16 States have legislation specifically permitting bilingual instruction. Fourteen States are silent on bilingual education but 11 of these have implemented bilingual education projects during FY 1976.

- LEAs in 10 States were prohibited by law from giving classroom instruction in any but the English language. However, some of these states chose not to enforce this prohibition; for example, four allowed the operation of Title VII (Bilingual Education Act) projects.

- The five most frequent requirements or provisions of State legislated bilingual education programs are:

  - Implementation of "transitional" bilingual instruction programs (17 States),

  - Establishing special qualifications for the certification of bilingual education teachers (13 States),

  - Providing local educational agencies with supplementary funds in support of bilingual education (13 States),

  - Mandating a cultural component in bilingual instruction programs (13 states).

Funding

- Of the 19 States operating State bilingual education programs in the 1975-76 school year, 16 appropriated funds specifically for bilingual education. The financial support reported by these States varied greatly from $19 per student to $431 per student.
- All 16 of the States which financially supported bilingual education programs operate direct service programs in contrast to demonstration or experimental programs.
- Only four States and one extra-State jurisdiction reported having allocated more State funds for bilingual education than they received from the Federal government during the 1975-1976 school year (Colorado, Illinois, Massachusetts, Utah, and Puerto Rico).
- Funding of bilingual education projects at the school district level is varied. Rarely are local projects supported from just one source of funds. In addition to local and State funds, 18 Federal programs provided some financial support to bilingual education projects.
- Ninety percent of Federal funds supporting bilingual education are provided through ESEA Title I and ESEA Title VII funds (37 percent and 53 percent, respectively.)

Students, Teachers and Curriculum Materials

- Methods used in identifying students of limited English speaking ability (LESA) are inadequate. In general, neither a yearly LESA student census nor a standard method for identifying LESA students is required.
- Twenty-two States reported over 1.3 million students as limited English speakers and therefore eligible for, or in need of, bilingual education. Of these, approximately 500,000 students (40 percent) were enrolled in bilingual instruction programs.
- Nine of the 40 States permitting bilingual instruction in their schools authorize students in non-profit, non-public schools to participate in their bilingual instruction program. Seven States do not permit participation; three States indicated that participation is unconstitutional and the others did not respond to the question.
- Fifteen of the 20 States visited reported that there is a considerable shortage of qualified bilingual education teachers. SEAs and LEAs are actively working with university-level teacher-training institutions to alleviate this shortage.

- Bilingual education materials in the non-Spanish languages were generally not available. Even for Spanish, in many instances such materials were not readily available, were inappropriate, or knowledge of their existence was limited. Dissemination of bilingual curriculum materials was generally limited.

Extra-State Jurisdictions

- The extra-State jurisdictions of Samoa, Guam, Puerto Rico, the Virgin Islands and the Trust Territory of the Pacific Islands view the Federal bilingual education program as a "mixed blessing": they agree it has helped their educational efforts, but feel that greater flexibility is needed for the educational situations of the island peoples who have cultural, language and administrative traditions widely different from those on the mainland.

State Administration

- The level of financial management and technical support provided by States for bilingual education varies widely.
- Collectively, State Education Agencies currently play a minor but growing role in bilingual education.
- Only 13 SEAs had full-time personnel involved in bilingual education and only 8 had three or more staff members so involved.
- Twenty-nine SEAs provided some degree of technical assistance to LEAs on bilingual education matters.
- Fourteen States impose special requirements for the qualification of bilingual education instructional personnel. The most common requirement was fluency in the second language of the program.

Summary

On the whole, States are playing a limited but growing role in bilingual education. The number of States which mandate or permit bilingual education has grown to 40. State financial support is still quite limited, however; in most States, Federal funds for bilingual education exceed State funds. With a few exceptions, the number of State Education Agency personnel involved in bilingual education is small and, consequently, provision for State-wide leadership and technical assistance to local school districts is limited.

Appendix 6

REPORT TO THE CONGRESS

BY THE COMPTROLLER GENERAL OF THE UNITED STATES

Bilingual Education: An Unmet Need

Office of Education

Because adequate plans were not made to carry out, evaluate, and monitor the Bilingual Education Program, the Office of Education has progressed little toward

- identifying effective ways to provide bilingual education instruction,
- adequately training bilingual education teachers, and
- developing suitable teaching materials.

No comprehensive information is available on the program's effect on students' academic progress, but the Office of Education has contracted for a national evaluation on this. Local project evaluation reports have been inadequate and of little use to local and Federal decisionmakers.

MWD-76-25

MAY 19, 1976

COMPTROLLER GENERAL OF THE UNITED STATES
WASHINGTON, D.C. 20548

B-164031(1)

To the President of the Senate and the
Speaker of the House of Representatives

In this report we assess the effectiveness of the Bilingual Education Program and suggest ways to improve its administration. The program is administered by the Office of Education, Department of Health, Education, and Welfare.

Because the program represents the largest and most direct Federal assistance for meeting the special educational needs of limited English-speaking children, we reviewed the progress of the program in achieving its goals of (1) identifying effective bilingual education approaches, (2) adequately training bilingual education teachers, and (3) developing suitable instructional materials. We also determined the program's effect on participating students at 16 projects.

We made our review pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67).

We are sending copies of this report to the Director, Office of Management and Budget, and to the Secretary of Health, Education, and Welfare.

Elmer B. Staats
Comptroller General
of the United States

Contents

		Page
DIGEST		i
CHAPTER		
1	INTRODUCTION	1
	Program design and administration	2
	Funding and participation	3
	Recent developments affecting bilingual education	5
2	RESOURCES TO EXPAND BILINGUAL EDUCATION HAVE NOT BEEN DEVELOPED	7
	Program goals and OE data on goal attainment	7
	Little progress made in identifying effective bilingual educational approaches	8
	Insufficient supply of bilingual education teachers	14
	Progress made in developing suitable instructional materials	18
	Impact of Education Amendments of 1974	23
	Conclusions	27
	Recommendation	28
	Agency comments	28
	Matters for consideration by the Congress	29
3	PROGRAM EFFECT ON PARTICIPATING STUDENTS	30
	Need for improved LEA project evaluations	30
	Appropriateness of standardized tests	33
	National impact study	33
	Results of our analyses	34
	Conclusions	41
	Recommendations	42
	Agency comments and our evaluation	43
4	FACTORS AFFECTING STUDENT ACHIEVEMENT	45
	Language of limited English-speaking children not used enough	45
	Need to limit participation of English-speaking students	47
	Problems in determining English language proficiency	49
	Monitoring activities	49
	Conclusions	51
	Recommendations	52
	Agency comments	52

Page

CHAPTER

5 SCOPE OF REVIEW 53

APPENDIX

I School year 1973-74 characteristics of bilingual education projects GAO reviewed 54

II HEW's position on bilingual education 55

III Parents' opinions on the bilingual education program 60

IV Letter dated March 19, 1976, from the Assistant Secretary, Comptroller, HEW, to GAO 63

V Principal HEW officials responsible for activities discussed in this report 68

ABBREVIATIONS

GAO	General Accounting Office
HEW	Department of Health, Education, and Welfare
LEA	Local education agency
OE	Office of Education

COMPTROLLER GENERAL'S
REPORT TO THE CONGRESS

BILINGUAL EDUCATION: AN
UNMET NEED
Department of Health, Education,
and Welfare

DIGEST

As many as 2.5 million children in the United States primarily speak, read, and write a language other than English. They are educationally disadvantaged because they cannot understand instruction traditionally given in English. Bilingual education is designed to teach these children English and to teach them in their language so they can progress effectively through school.

Bilingual education was relatively new when the Bilingual Education Program was established in 1968. The program, administered by the Office of Education, Department of Health, Education, and Welfare (HEW), was intended to be a research and demonstration program.

Because adequate plans were not made to carry out, evaluate, and monitor the program, the Office of Education has progressed little toward

--identifying effective ways of providing bilingual education instruction (see p. 3),

--training bilingual education teachers (see p. 14), and

--developing suitable teaching materials. (See p. 18.)

To help prevent this problem from recurring, GAO suggests that the Congress establish legislative controls over future educational demonstration programs. The controls should require that Federal agencies be accountable for (1) establishing program goals, objectives, and milestones and (2) assessing the program and reporting periodically to the Congress on its progress. (See p. 29.)

The Education Amendments of 1974 established priorities and authorized funding for the Bilingual Education Program which should help the program reach its goals. The Office of Education is acting to alleviate the shortage of teachers and materials. (See p. 23.)

No comprehensive information is available on the program's effect on students' academic progress, but the Office of Education has contracted for a national evaluation on this. (See ch. 3.)

Local project evaluation reports have been inadequate and of little use to local and Federal decisionmakers. (See p. 30.) Further, it is questionable whether available testing instruments are appropriate for the target population. (See p. 33.)

On the basis of available test data, some students at 16 projects GAO sampled were making normal progress in math and reading but most were not achieving at national norms. The test data indicated that English-speaking students, who are also allowed to participate in the program, generally did better than children with limited English-speaking ability.

Because the 16 projects represent only a small fraction of all projects in the program, the results of GAO's analyses are not necessarily representative of the entire program. (See p. 34.)

Two factors may have contributed to the poorer performance of the target population.

--The language of the limited English-speaking children may not have been used enough in classroom instruction. (See p. 45.)

--Too many English-speaking children were in the project classrooms, thus diluting program services for the target children. (See p. 47.)

Inadequate monitoring by the Office of Education and the difficulty of accurately assessing the English language proficiency of the target population also affected project effectiveness. (See p. 49.)

Project personnel believed nonacademic benefits to the students included enhanced self-image and improved attitudes toward school. Reactions of parents of participants were generally favorable. (See p. 40.)

GAO recommends that HEW:

--Formulate a plan for developing effective ways of providing bilingual education instruction. (See p. 28.)

--Take steps to improve project evaluation reports. (See p. 42.)

--Examine the appropriateness of academic testing instruments available for children with limited English-speaking ability and, if needed, take action to have better ones developed. (See p. 43.)

--Limit the number of English-speaking children allowed in the program, or use other methods to further insure that available program resources reach the largest possible portion of the target population. (See p. 52.)

--Examine the appropriateness of available testing instruments for assessing English language proficiency and, if needed, take action to have better instruments developed. (See p. 52.)

In response to GAO's recommendations, HEW said:

--The Office of Education and the National Institute of Education are formulating a plan for systematically developing effective ways of providing bilingual education instruction. (See p. 28.)

--It is revising program regulations to establish requirements which should help improve project evaluation reports. (See p. 43.) (GAO believes, however, that stronger and expanded reporting requirements are necessary.) (See p. 44.)

--These agencies are undertaking and planning several actions to examine the appropriateness of test instruments. (See pp. 43 and 52.)

--It will review the issue of limiting the number of English-speaking children allowed in the program. (See p. 52.)

CHAPTER 1

INTRODUCTION

The Bilingual Education Program was established to meet the special educational needs of limited English-speaking children from low-income families. The program, authorized by title VII of the Elementary and Secondary Education Act of 1965, as amended (20 U.S.C. 880b), provides, among other things, funds to local educational agencies (LEAs) to design, develop, and implement approaches for bilingual education. The Office of Education (OE), Department of Health, Education, and Welfare (HEW), administers the program, which is the largest and which provides the most direct Federal assistance for teaching children in another language.

OE defines bilingual education as the use of English and another language as instructional mediums in an educational program. Instruction is provided in both languages in some or all subjects and the culture associated with the other language is also emphasized. Participants can also include children proficient in English as well as limited English-speaking children. Bilingual education is broader than the long-established English-as-a-second language concept which stresses English language instuction for a portion of the school day.

The concept of bilingual education was relatively untested in the United States when title VII was approved on January 2, 1968. The Congress, intending it to be a research and demonstration program, authorized grants to

--test the effectiveness of bilingual educational approaches through research or pilot projects,

--provide training for teachers in bilingual education programs,

--develop and disseminate instructional materials, and

--establish and operate bilingual educational programs.

We evaluated the progress of the Bilingual Education Program in (1) identifying effective bilingual educational approaches, (2) training teachers, and (3) developing instructional materials. We also reviewed OE's program implementation at 20 projects operating during school year 1973-74.

Sixteen projects were established at LEAs in nine States to address the special educational needs of limited English-speaking school children in those areas. At these projects we evaluated--by analyzing available test data--the academic progress of a sample of student participants. The projects were selected in consultation with OE program officials who agreed that those selected could be considered typical of the program. Because the 16 projects represent only a small fraction of all projects in the program, the results of our analyses of achievement data should not be considered necessarily representative of the entire program.

The other four projects, national in scope, were established to develop, acquire, and disseminate instructional materials and to evaluate test instruments for widespread LEA use. (The scope of our review is detailed in chapter 5.)

PROGRAM DESIGN AND ADMINISTRATION

LEAs wishing to participate in the program submit applications to OE. To qualify for financial assistance, an applicant must demonstrate that it has school enrollments of limited English-speaking children who come from low-income families and environments where the dominant language is not English. The applicant must also show that the regular school program is not meeting the special educational needs of this group.

OE reviews and approves project applications, paying particular attention to factors such as problem significance and needs assessment, target group characteristics, project objectives and procedures, planned class activities, staff development, parental involvement, and proposed budget. In awarding grants, OE is required to consider recommendations from State educational agencies, the geographic distribution of limited English-speaking children, the relative need for bilingual education in individual States, and the ability of LEAs to provide bilingual education services.

OE headquarters (1) develops policies for program operation, funding, evaluation, and dissemination of results and (2) monitors LEA projects. OE's Office of Planning, Budgeting, and Evaluation has primary responsibility for overall program evaluation. Because program administration is centralized at OE headquarters, HEW's regional offices and the State educational agencies have not been involved in the program's administration.

OE issued program regulations in 1969 and supplemented them with program guidelines in April 1971 which contained program philosophy; guidance for project design, implementation, and evaluation; and instructions for submitting grant applications. In June 1974 revised regulations and procedures were issued which superseded the guidelines. Title VII was amended in August 1974 by the Education Amendments of 1974 (20 U.S.C. 821) which, among other things, created the Office of Bilingual Education within OE. Revised program regulations became effective on June 24, 1975.

FUNDING AND PARTICIPATION

Because title VII was established as a demonstration program, OE originally intended that LEAs would absorb project costs after 5 years. However, beginning in school year 1974-75 projects could be funded for longer than 5 years where exceptional potential for achieving program goals was demonstrated, but could not be funded indefinitely.

Federal funds totaling $374.9 million were appropriated for the program from its inception through fiscal year 1976.

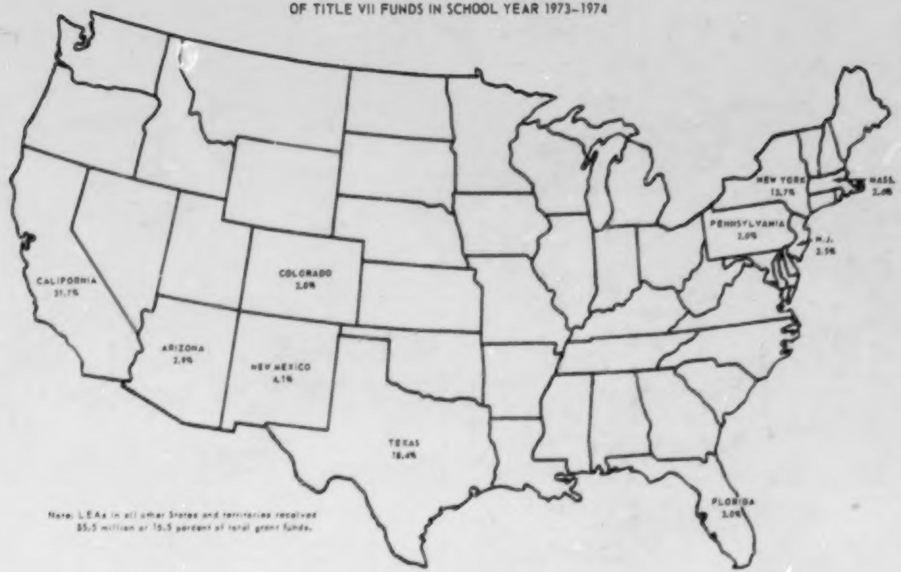
Fiscal year	Number of projects	Program participants	Amount appropriated
1969	79	26,500	$ 7,500,000
1970	131	51,900	21,250,000
1971	165	83,700	25,000,000
1972	210	106,000	35,000,000
1973	209	129,500	45,000,000
1974	380	236,000	58,350,000
1975	a/381	268,500	85,000,000
1976	-	-	97,770,000
Total			$374,870,000

a/Excludes grants to 30 universities for fellowships for study in the field of bilingual education training.

The program is forward funded; that is, funds appropriated and obligated in one year finance program operations the following year. Thus, the 209 projects shown above for fiscal year 1973 were implemented in school year 1973-74. The map on the following page shows (1) the concentration of title VII funds in school year 1973-74 and (2) that 10 States received 83.5 percent of available funds.

Twenty-four languages were represented by the 209 projects:

STATES WITH HIGHEST PERCENTAGES
OF TITLE VII FUNDS IN SCHOOL YEAR 1973–1974


CALIFORNIA
31.7%
COLORADO
2.0%
ARIZONA
2.9%
NEW MEXICO
4.1%
TEXAS
18.4%
NEW YORK
13.7%
MASS.
2.4%
PENNSYLVANIA
2.0%
N.J.
2.3%
FLORIDA
2.0%

Note: LEAs in all other States and territories received $5.5 million or 16.5 percent of total grant funds.

--American Indian languages	15
--European languages-- French, Portuguese, Spanish	3
--Pacific Island languages-- Chamorro, Palauan, Pouapean	3
--Other languages-- Chinese, Eskimo, Russian	3
Total	24

About 85 percent, or 179, of the 209 projects were directed toward Spanish-speaking children. Although prekindergarten through grade 12 are eligible for funding, the main emphasis has been on kindergarten through grade 6.

The 20 projects we reviewed received grants totaling $4.6 million for school year 1973-74. At the 16 projects providing classroom services, grants amounted to $2.2 million and over 10,000 students participated. The languages covered by these projects included Spanish (11 projects), American Indian (2 projects), Chinese, Portuguese, and French. Grants awarded to the four national projects totaled $2.4 million.

In school year 1974-75, the number of projects increased to 383, including about 200 new projects. These projects serve an estimated 236,000 students--out of a total target population ranging possibly from 1.8 to 2.5 million children--and encompass 42 languages, including 23 American Indian languages.

RECENT DEVELOPMENTS AFFECTING BILINGUAL EDUCATION

Since title VII was enacted, bilingual education programs and related activites have grown substantially at all government levels. For example, several States have legislation establishing programs to meet the special educational needs of limited English-speaking children. Of the nine States we reviewed, six--Arizona, California, Massachusetts, New Mexico, New York, and Texas--have such laws. Indications are that this trend will continue and will have a major impact on the direction of existing programs.

On January 21, 1974, the Supreme Court ruled that, in Lau v. Nichols, 414 U.S. 563 (1974), public school systems must rectify the educational problems of limited

English-speaking children. The decision was reached on behalf of Chinese children against an LEA in San Francisco. The Court based its ruling on title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and held that a school system receiving Federal funds unlawfully discriminates against limited English-speaking children if it fails to cope with their language problems. Under such circumstances, children are denied an equal opportunity to participate in the educational program. As a result of this decision, more LEAs will probably begin bilingual education programs.

The Education Amendments of 1974 extend the bilingual education program through fiscal year 1978 and considerably increase authorized program funding. The amendments also are expected to have a significant impact on program operations. This is discussed in chapter 2.

CHAPTER 2

RESOURCES TO EXPAND BILINGUAL EDUCATION HAVE NOT BEEN DEVELOPED

Through projects funded under the Bilingual Education Program, local educational agencies have attempted to meet the educational needs of school-age children with limited English-speaking ability. However, OE did not establish an adequate management plan to implement, evaluate, and monitor the program. Consequently, OE's overall goal of developing resources to effectively expand bilingual education has not been met.

--Only four effective bilingual educational approaches have been identified.

--Some bilingual education teachers have been trained, but a critical shortage of adequately trained teachers still exists and not enough training facilities are available to provide appropriate training.

--Some progress has been made in developing Spanish-language instructional materials; however, more materials are needed, particularly in other languages.

It will be extremely difficult to effectively expand bilingual education until these resources are sufficiently developed. These resources are critical because, as previously discussed, LEAs will probably be starting new bilingual programs as a result of recent court decisions. The Education Amendments of 1974 mandate several activities which should help alleviate the shortage of resources and OE has taken certain actions, accordingly.

PROGRAM GOALS AND OE DATA ON GOAL ATTAINMENT

The Congress and OE recognized that, because bilingual education was relatively new, certain resources had to be developed before extensive programs could be established to reach all children of limited English-speaking ability. Accordingly, the program goal has been to develop these resources--effective bilingual education approaches, adequately trained bilingual education teachers, and suitable teaching materials. The effect on program participants is discussed in chapter 3.

OE has relied primarily on annual internal evaluations and LEA project evaluation reports to determine whether the goals have been achieved. However, neither method has yielded comprehensive, useful data on program effectiveness.

OE's Office of Planning, Budgeting, and Evaluation prepares a status report for the Congress on the progress of all OE-funded education programs. In its fiscal year 1974 report, OE stated that:

> "In general * * * it would appear that title VII has succeeded as a demonstration in that, however informally, interest has been generated and models are being replicated."

The portion of the report concerning bilingual education was based on a program evaluation made for OE by a private firm. It showed that many title VII projects are visited by personnel from other LEAs. Of 34 projects included in the study, 31 had been visited and 10 had been at least partially replicated (duplicated) by 1 or more LEAs.

OE's annual report lacked information on the progress made in training bilingual education teachers and in developing instructional materials. The contractor's final report, dated December 1973, acknowledged the existence of severe shortages in both areas but did not provide perspective regarding national needs or ongoing efforts to find appropriate solutions.

LITTLE PROGRESS MADE IN IDENTIFYING EFFECTIVE BILINGUAL EDUCATIONAL APPROACHES

Although the program is in its seventh year of furnishing classroom services to limited English-speaking children, OE has made little progress in identifying effective bilingual educational approaches. As of December 1975, only four approaches had been identified.

Characteristics of bilingual educational approaches

According to OE, bilingual educational approaches have several common elements: instructional design, evaluation, staff training, materials acquisition and development, and community participation. Each element contains variables which can be structured to form a different approach.

To illustrate, in terms of instructional design LEAs are concerned with variables such as classroom mix of limited English-speaking and English-speaking students, percentage of time each language will be used, and emphasis each subject will be given, including the sequential pattern of teaching subjects at various grade levels. Another consideration is which instructional technique to employ--team-teaching, small group instruction, individual tutoring, or some other technique or combination of techniques. Instructional design also encompasses personnel resources which can implement the classroom approach. Examples include:

--A bilingual aide assisting a monolingual English-speaking teacher.

--A bilingual teacher and bilingual teacher aide instructing small groups of students alternately in the two languages.

--A bilingual teacher exchanging students with a monolingual English-speaking teacher to provide instruction in two languages.

Procedures are also necessary for evaluating the implementation of the instructional design. An evaluation design should consider processes and products to be measured, measurement instruments or techniques to be applied, data collection and analysis procedures to be used, and reporting format. Selecting appropriate measurement instruments or techniques is important. Some alternatives, for example, are standardized achievement tests, teacher-developed tests and rating scales, classroom observations, and questionnaires.

OE's efforts to identify approaches

In the program's first year, OE received over 300 LEA applications for bilingual education projects. Seventy-nine were awarded grants and became operational in school year 1969-70. Differences in school resources and organization, as well as in community composition, resulted in the use of various approaches to implement the projects.

Although many and varied approaches were carried out, OE had little control over which approaches would be evaluated and compared, how it should be done, and for how long. As previously discussed, the Congress intended the program to test the effectiveness of bilingual education approaches through research or pilot projects. Because OE had little control, the program lacked the characteristics of a demonstration program. In its fiscal year 1971 status report to the Congress, dated January 1972, OE stated that:

> "During its three years of operation, the Bilingual Education Program has become more and more of an educational service program, rather than a demonstration one."

OE created a task force in 1971 to determine whether bilingual education should be expanded from a demonstration to an educational service program. In October 1971 the task force reported that evidence on the effectiveness of bilingual education projects was inconclusive. Among other things, it recommended that OE play a stronger program role by further directing developmental activities and initiating a "planned variation" component. Such a component would identify effective bilingual education strategies by systematically evaluating different approaches. The task force explained its position by stating:

> "It is recommended that 'planned variations' of bilingual models should be tried out systematically. Some of the most promising models worked out by the various projects should be tried out in a more systematic way. The development of such models is a difficult task and should begin at once. It may be well to stage these trial runs in areas which presently have no bilingual program so that the Office of Education may specify which model shall be tried out. All the schools chosen to participate in the new planned variation part of the program would be subject to an intensive, common evaluation for the purpose of determining which models are the most effective.".

These recommendations were not implemented. According to HEW officials, a "planned variation" study design was developed under a 1972 research grant costing about $300,000. However, the design was not implemented because of several concerns, including cost and OE's ability to control the experiment at each LEA.

OE did not establish objectives and milestones to identify educational approaches for LEA use until 5 years after the Congress first appropriated program funds. In fiscal year 1971, HEW established the Operational Planning System to help management with resource allocations. Among other things, the system is intended to insure that long-range goals are accomplished. It requires HEW activities to develop clear, measurable objectives indicating what each program plans to accomplish in terms of output or impact and to set milestones to measure effectiveness in achieving objectives.

In fiscal year 1974, 3 years after the HEW system was established, OE developed an objective and milestones designed to insure that effective bilingual educational approaches were validated and disseminated. OE's fiscal year 1974 objective stated that 10 effective title VII approaches would be available for dissemination to LEAs by June 30, 1974. Significant milestones were:

--By March 1974, prepare criteria for identifying effective bilingual and bicultural educational approaches and list title VII projects deemed worthy of further examination.

--By April 1974, make visits to identified projects to validate evaluative and programmatic data.

--By May 1974, submit information on effective title VII projects to OE's Dissemination Review Panel 1/ for approval.

Fifteen projects were identified as having potential for LEAs to replicate. Each project was visited for no more than 2 days by OE validation teams to collect project data and verify its accuracy and reliability. An OE official told us that the 15 projects were selected subjectively by program personnel from 38 fifth-year projects recommended for school year 1974-75 funding. Of the 15 projects, only 4 were submitted to the Dissemination Review Panel for approval. But, in September 1974, the panel disapproved the projects because each lacked objective data on the participants' academic achievement.

In June 1974 OE awarded a contract estimated at $1.1 million for an overall evaluation of the Bilingual Education Program. One objective was to identify up to 10 exemplary projects. OE's Office of Planning, Budgeting, and Evaluation and the contractor cooperatively defined minimum criteria for screening candidate projects. To be considered, projects had to

--include English-language instruction for children with limited English skills,

--provide academic instruction in the language of the target population,

--address the customs and cultural history of the target population,

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1/In April 1974 the Assistant Secretary for Education changed the panel to a joint National Institute of Education and OE Dissemination Review Panel. It is responsible for reviewing and approving all educational products and materials proposed for public dissemination.

--have significant gains in English-language skills as well as content areas taught in the native language,

--have definable and describable instructional and management components, and

--have reasonable startup and continuation costs.

A total of 175 candidate projects were selected, most of which were funded under title VII. As a result of a telephone screening, 59 1/ projects were dropped without requesting evaluation reports because they did not meet the minimum criteria. An additional 20 projects could not be considered because the requested evaluation reports were not received.

The evaluation reports of the remaining 96 projects were analyzed for information on their success or failure. The evaluation methodology of 89 of the projects was found to be so inadequate that a conclusion on the project's success or failure could not be drawn. The contractor's report, dated August 1974, stated that:

> "Some of the more common shortcomings encountered in reviewing evaluation designs were the following: insufficient or inappropriate comparative data, small numbers of participants and/or control students, unanalyzed data, data reported for one grade level only, inappropriate testing procedures, and failure to collect, in addition to data from language tests, data from tests in other subject areas. In a few instances, program documents supplied little or no information on cognitive achievement of participants."

The remaining seven projects were recommended to the Dissemination Review Panel as exemplary bilingual education projects. The panel approved four of the projects for dissemination. These projects, all funded under title VII, are identified below.

1/In a few instances calls were made as a result of false leads and no special program for limited English-speaking students was operating. Also, some programs were dropped at their own request.

Program title	Location	Language
St. John Valley Bilingual Education Program	Madawaska, Maine	French
Alice Independent School District Bilingual Education Program	Alice, Texas	Spanish
Aprendemos en Dos Idiomas, Title VII Bilingual Project	Corpus Christi, Texas	Spanish
Bilingual Education Program	Houston, Texas	Spanish

Program descriptions detailing the content and key characteristics of the four projects were prepared by the contractor. OE officials told us that the descriptions will be made available through the title VII program to LEAs seeking ideas on program design in fiscal year 1976. In addition, OE has awarded a contract to prepare "Project Information Packages" on the projects. The packages will go beyond the program descriptions by detailing the project processes and by showing LEAs how to implement the design in its entirety.

OE officials told us the project information packages are scheduled to be completed by the summer of 1976. They said that tentative plans call for a 2-year field test of the packages and, if the field tests are successful, the packages will be disseminated on a widespread basis to LEAs.

OE efforts to identify and validate successful approaches needs redirection

Although OE has identified four approaches which have shown effective results and have the potential for replication, it needs to formulate a systematic plan to develop such approaches. As stated earlier, for the title VII candidate projects included in the contractor's study, OE had little input into the design and development of particular projects.

Title VII grants are awarded on the basis of the extent to which basic funding criteria are met. The particular approach or strategy to be implemented is primarily left up to the discretion of the grantee. OE does not have a plan for testing particular approaches which are likely to work or particular variables which are believed to have impact on project effectiveness.

Also of particular concern are the inadequacies of the evaluation designs developed and implemented at local projects. In commenting on the few models that have been identified, the August 1975 report stated that:

> "Practically every study of this type over the years from several research organizations and across a variety of educational programs, including compensatory education, reading programs and now bilingual education, has pointed to poor experimental design, to the lack of planning for evaluation, to inappropriate use of statistical methods, and to a general lack of evidence one way or the other."

Consequently, although title VII projects have implemented a wide variety of approaches for providing bilingual instruction, their evaluation designs have been so inadequate as to preclude the project's data from even being considered by OE's Dissemination Review Panel. It would seem, therefore, that strong evaluation designs should be an intrinsic part of demonstration projects to provide greater assurance that reliable data on project effectiveness will be available. Chapter 3 discusses in more detail LEA evaluations.

INSUFFICIENT SUPPLY OF BILINGUAL EDUCATION TEACHERS

Objective evidence is lacking on whether students perform better because they have been taught by a bilingual education teacher. Nevertheless, educators and OE officials agree that additional qualified teachers are needed.

In March 1974 we reported to the Congress that a national surplus of elementary and secondary school teachers existed, but there were shortages in some subjects and in certain localities. 1/ Little progress has been made in filling the bilingual education teacher shortage and OE has not quantified this need. Progress in training teachers has been hampered because (1) the capability of colleges and universities to provide the necessary training has been limited and (2) previous Federal teacher training programs have not been successful in meeting the teacher shortage need. The following three sections include a discussion of OE's progress in these areas before enactment of the Education Amendments of 1974.

Teacher shortage has not been quantified

Although estimates have been made, OE has not adequately determined how many additional bilingual education teachers

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1/ "Supply and Demand Conditions for Teachers and Implications for Federal Programs," B-164031(1), March 6, 1974.

are needed to serve the target population. A major factor affecting estimates of teacher need is the size of the target student population; however, OE has not made a comprehensive study of this population. OE also lacks comprehensive information on State and LEA qualification standards for bilingual education teachers and on how many teachers meet such qualifications.

In recent years, estimates of the target population have ranged from 1.8 to 7 million nationwide, and the corresponding estimated teacher need has varied accordingly. One reason for the wide variance is that the language characteristics of children needing bilingual education have not been well defined. (See ch. 4.)

In March 1974 OE estimated that about 1.8 to 2.5 million children needed bilingual education and, using a classroom student-teacher ratio of 30 to 1, estimated that the number of teachers needed would range from 60,000 to 83,000. However, the estimate is inadequate because it was based on a sample of only four States, on 1970 census data on homes where foreign languages were spoken, and on a 1972 survey of national ethnic origin of minorities made by HEW's Office for Civil Rights. Educators generally recognize that such data does not accurately measure a child's ability to function in English.

Although nationwide estimates have varied significantly and generally have been inadequate, there is evidence that additional bilingual education teachers are needed. For example, at the projects we reviewed, 292 teachers provided instruction to project participants. Of these teachers 200, or 69 percent, were bilingual--fluent in and able to understand English and the target students' native language. However, at five projects the majority of the teachers were not bilingual. Also, only 74, or 27 percent, of the 271 teachers for whom information was available had received college training to teach in bilingual classrooms. Most LEA project directors told us the shortage of qualified teachers adversely affected their projects, including the quality of instruction.

A 1973 OE-financed study of 34 Spanish projects, which were not included in our review, resulted in similar findings. The contractor's report concluded that:

> "All teachers employed in the * * * projects were certified. However, not all these teachers were qualified to teach in a bilingual education program. Consequently, there is a lack of formally trained and bilingually qualified teachers to instruct in bilingual education programs. The lack is impacting on * * * project success."

The LEAs included in the OE study considered 370, or about 73 percent, of the 510 teachers to be qualified to teach subjects such as language arts, history, science, and math in Spanish.

Initial OE program guidelines specified that project teachers should have certain qualifications and competencies, including (1) bilingual capability, (2) training and teaching experience, using the language of the target population as a medium of instruction, (3) training and experience in teaching English as a second language, and (4) an awareness of the target students' culture. We requested information on teacher qualifications for the nine States covered in our review. Of the seven States that responded, five State educational agencies--Arizona, California, Massachusetts, New Mexico, and Texas--had established bilingual education teacher certification standards. The standards and the requirements to meet them varied, although four States stressed bilingualism, culture, and instruction methods. Of the 16 LEAs we reviewed, 11 had established minimum standards, but project officials were generally unaware of State standards.

Training programs of colleges

OE has not comprehensively assessed the ability of colleges to train students to be bilingual education teachers nor does it have comprehensive data on the number of students with bilingual capability who are enrolled in colleges and majoring in teacher education. Using questionnaires, we surveyed colleges in the nine States we reviewed to ascertain their training capabilities in this field. Although several offered courses related to bilingual education, few had comprehensive training programs or offered degrees and credentials in bilingual education.

OE officials believe that not enough colleges are capable of training bilingual education teachers to meet current needs. In October 1974, using information available within OE and other HEW agencies, OE identified 101 colleges in 15 States and the District of Columbia as having an established program or some training activity in bilingual education. OE's data showed that 47 offered degrees and 51 offered courses related to bilingual education; specific information on the remaining 3 institutions was not given. Of the 51 institutions offering courses, 17 offered only English-as-a-second language training. Information regarding degree requirements was not provided.

The National Council for Accreditation of Teacher Education is the national agency for accrediting programs that prepare elementary and secondary education school teachers and school service personnel. We sent questionnaires to the 112 colleges accredited by the Council in the 9 States we reviewed. Of the 91 institutions responding 78, or about 86 percent, indicated a need for bilingual education teacher training programs in their area. However, only 23 institutions said they offered degrees or credentials related to bilingual education; 46 said they had courses related to bilingual education. A breakdown of the questionnaire responses is shown below.

State	Need for training programs		Offer degrees or credentials		Offered courses (note a)	
	Yes	No	Yes	No	Yes	No
Arizona	2	0	1	1	1	0
California	18	0	8	10	8	2
Colorado	5	1	1	5	5	0
Louisiana	2	4	1	5	1	4
Massachusetts	14	0	1	13	9	4
Montana	2	1	0	3	3	0
New Mexico	4	0	3	1	1	0
New York	13	5	5	13	5	8
Texas	18	2	3	17	13	4
Total	78	13	23	68	46	22
Percent	86	14	25	75	68	32

a/Represents the 68 colleges not offering degrees or credentials in bilingual education.

The training programs established by the institutions offering degrees or credentials are relatively new; many were formulated as recently as 1973 and 1974. Statistics provided by 19 of these institutions indicated that 882 persons had received degrees or credentials in bilingual education, while 1,098 were still participating in the programs. Institutions not having comprehensive training programs indicated that the main factors impeding their development were limited financial resources and lack of experienced professors.

Federally financed bilingual education training programs

Federal support for training bilingual education teachers is provided under several legislative authorities, the most significant being title VII of the Elementary and Secondary Education Act. The Education Professions Development Act (20 U.S.C. 1091) enacted June 29, 1967, and the Emergency School Aid Act (20 U.S.C. 1601) enacted June 23, 1972, also provide for teacher training programs. The accomplishments of these programs are difficult to measure because sufficient information is not readily available on the nature and extent of the training. Our March 1974 report on teacher supply and demand noted that agencies lacked adequate information about the effects of Federal programs on teacher supply.

Training provided under title VII has increased the teaching capability of individuals at LEA projects, but has done little to fulfill apparent national needs. The original legislation made grants available to colleges applying jointly with one or more LEAs. The law did not provide for scholarships or fellowships for individuals wanting to pursue a bilingual education teaching career or direct grants to colleges. Grant funds could be used for providing (1) preservice training to prepare teachers, teacher aides, or other ancillary educational personnel, such as counselors, for participation in bilingual education programs and (2) inservice training and development programs to enable these persons to improve their qualifications while in such programs.

Preservice training generally involves a basic orientation concerning program goals and approaches and is usually offered immediately before the school year begins. Inservice training is given at various times throughout the school year and includes instruction in the methods of teaching certain subjects and on how to use teaching materials. Both types of training vary according to LEA needs.

According to OE information, the estimated funds spent in school years 1972-73 and 1973-74 by title VII projects for training and the number of teachers and teacher aides receiving training have been as follows:

School year	Funds spent	Receiving training	
		Teachers	Teacher aides
	(millions)		
1972-73	$5.1	3,692	2,592
1973-74	5.3	3,700	2,600

PROGRESS MADE IN DEVELOPING SUITABLE INSTRUCTIONAL MATERIALS

Shortages of suitable instructional materials have hindered program success. OE has attempted to alleviate this problem by funding three national projects to develop, acquire, and disseminate instructional material and by suggesting that each local project have a materials development component. Some progress has been made, particularly regarding Spanish-language materials. However, more effort is needed to insure that LEAs have access to the quality material necessary to provide limited English-speaking children with meaningful education opportunities.

More instructional materials needed

The lack of sufficient bilingual instructional materials is generally acknowledged by OE, as well as local educators. For example, in hearings before the Senate Appropriations Committee in May 1974, an OE official said "* * * we know that there needs to be a substantial increase in the kind of instructional materials which can be used in bilingual education."

At only four projects we reviewed did most of the staff believe the material was satisfactory. Overall, more than 60 percent of the project directors and teachers indicated the material was inadequate and that the lack of suitable materials had adversely affected classroom instruction and project effectiveness. The 1973 OE-sponsored study of 34 projects resulted in similar findings. The study said:

> "Of 34 projects queried, only one project reported being totally satisfied with existing bilingual education materials. In 33 projects, the general consensus was that additional bilingual/bicultural materials are needed in all areas of instructions * * *. Staff members in all 34 projects indicated that the inadequate * * * materials had been a constraining factor in the conduct of their activities. Most projects were attempting to tap multiple sources of materials without really impacting on the materials problem."

Project teachers and directors we interviewed said the biggest need was for a systematic, sequential pattern of instruction in the other language; that is, a complete language arts curricula. Without access to such a curricula, teachers must develop or adapt material themselves. However, as the OE-sponsored study revealed, teachers who developed their own material did so based on their own needs, instead of developing an integrated curricula which could be used by other LEAs.

The most acute material needs were experienced by the non-Spanish projects. For example, the two Indian projects we reviewed do not have a written language. Consequently, one LEA delayed implementing its project because time was consumed developing a dictionary and other materials. The Chinese project reviewed obtained some material from Hong Kong and another title VII Chinese project. The teachers claimed that an inordinate amount of their time is spent developing or adapting materials for project participants.

One reason for this situation is that the national projects are oriented toward the Spanish speaking. For example, one national project responsible for disseminating materials has published none in French, Chinese, Portuguese, or any of the Indian languages, although it has disseminated information on certain manuscripts which are available in these languages. Officials at four of the five non-Spanish projects we reviewed said they had never tapped the national projects for instructional material.

Local projects' efforts to fill material shortages

Initial program guidelines suggested that LEAs acquire, adopt, and develop material. The 16 projects we reviewed spent $240,000 on these activities in school year 1973-74. Most projects gave this component a relatively low priority. For example, 11 allocated 10 percent or less of their title VII budgets to material development, with 8 allocating less than 5 percent.

Projects used various methods to provide students with materials. Some materials were acquired from the national centers, some were adapted from commercial sources, and others were developed by teachers and aides. Seven projects employed curriculum specialists to assist in this effort. Although most material adapted or developed was supplementary, there were a few notable exceptions. For instance, 1 project completed 14 texts covering subjects such as social studies and language arts.

Development, acquisition, and dissemination of materials by national projects

OE has funded three national projects specifically to provide LEAs with the material necessary to implement bilingual education programs. Progress by these projects has been limited, but encouraging in some areas. The projects are identified below.

Project and location	Fiscal year started	Cumulative funding (note a) (millions)	Purpose
Spanish Curricula Development Center, Miami, Fla.	1970	$2.6	To develop curricula to support primary level grades (1-3) in Spanish-English bilingual education programs.
Materials Acquisition Project, San Diego, Calif.	1970	$2.0	To locate and disseminate Spanish and Portuguese instructional materials published in foreign countries for elementary and secondary grades.
Dissemination Center for Bilingual-Bicultural Education, Austin, Tex.	1972	$0.6	To serve as a clearinghouse for bilingual/bicultural materials and services relevant to title VII projects.

a/Through fiscal year 1974.

Following is a discussion of the progress made by these three projects, primarily before enactment of the Education Amendments of 1974.

Spanish Curricula Development Center

To determine LEA needs, the Center made a survey and found that curricula was desired in five subjects: language arts, social science, fine arts, math/science, and Spanish-as-a-second language. The material for each subject, including texts, teachers' guides, and test instruments, is developed by Center personnel and sent to selected LEAs for field testing and comment. The Center then revises the material to correspond to the dialects and cultural characteristics of the three target populations (Mexican, Puerto Rican, and Cuban) and sends it to the Dissemination Center for Bilingual-Bicultural Education.

As of December 1975, the material for grades one and two had been field tested, revised, and sent to the Dissemination Center. The material for grade three had been field tested and revised, and the material for grade four was being field tested. According to Dissemination Center records, 52, or 38 percent, of 137 title VII Spanish-English projects which cover first grade had purchased some material as of August 1974.

The Development Center's effectiveness has at times been difficult to assess, primarily because of peak and low periods relative to receiving teacher feedback. In school year 1973-74, teachers at 40 Spanish-English projects were testing the material in their classrooms. According to the Center's 1973-74 annual report, teachers expressed a "generally positive attitude" toward the material. However, Center officials were disappointed that half the teachers provided no input and that many evaluations were not of sufficient quality to improve the materials. For school year 1974-75, to improve feedback, a Center official told us that the Center contracted with teachers to field test materials.

During school year 1973-74, the Center attempted to assess the effectiveness of the first grade language arts material. A test developed by the Center and keyed to the material's objectives was administered twice during a 5-month interval to 216 students at 3 different sites. Two groups of students were tested. One group participated in bilingual classes using material from various sources and the other group used only Center material. Test results showed that the group using Center material had gains about 32 percent higher than the other group.

Materials Acquisition Project

As of June 1975, Project personnel accumulated an inventory of over 36,000 items of instructional material. The Project uses various activities to place material in bilingual classrooms. For example, teachers from participating LEAs select material from the inventory and evaluate it, determining whether the material is appropriate for title VII participants and, if not, indicating necessary revisions.

During fiscal years 1972-74, 26, 106, and 129 bilingual education projects, respectively, received material. In school year 1973-74 the projects filled purchase orders valued at more than $300,000. Numerous workshops and meetings have been conducted to help teachers use and evaluate the material, and from 1972-75 over 2,000 teachers participated.

According to the Project's 1973-74 evaluation report, it has had difficulty in obtaining enough substantive evaluations to enable it to improve existing material. Of the 12 Spanish and Portuguese projects we reviewed, 7 had obtained material from the Project and were generally satisfied with it.

Dissemination Center

The Dissemination Center evaluates instructional material submitted by title VII projects to determine whether it is worthy of dissemination to LEAs. As of December 1975, the Center had on hand manuscripts of over 1,000 unpublished materials. The Dissemination Center director estimates that only 10 to 15 percent of the material received is suitable for dissemination. Materials are rejected primarily because they (1) duplicate existing material, (2) are not universally applicable, or (3) are not developed according to generally accepted text development procedures. With few exceptions, material is not formally field tested before dissemination.

Dissemination Center records do not readily provide summary data on how many local projects submit material or on the amount of material submitted. However, our review of available records showed that 11 of the 16 projects we reviewed had submitted a total of 117 manuscripts from school years 1971-72 through 1973-74.

Projects purchase at cost a wide variety of material, most of which is supplemental. According to a Center official, in school year 1974-75 over 191,000 items were disseminated. Thirteen of the 16 projects we reviewed received 147 pieces of material covering several subjects and grades.

As part of the Dissemination Center's 1973-74 evaluation, the evaluator requested projects to rate specific material. The response rate was very low, but those who did respond were favorably impressed. In school year 1974-75, a questionnaire sent by the Center to a number of projects showed that an overall assessment of all material being used was favorable.

IMPACT OF EDUCATION AMENDMENTS OF 1974

The Education Amendments of 1974 mandated certain activities in an attempt to reduce bilingual education resource shortages. As a result, the Under Secretary of HEW formulated a capacity building policy for bilingual education which emphasizes teacher training and development of instructional approaches. We believe that both the revised program legislation and HEW's capacity building policy should help reduce the shortage of bilingual education resources.

Education Amendments of 1974

The Congress legislated the use of program funds to demonstrate effective ways of providing bilingual education. The legislation requires that:

> "The Commissioner * * * shall establish, publish and distribute, with respect to programs of bilingual education, suggested models with respect to pupil-teacher ratios, teacher qualifications, and other factors affecting the quality of instruction offered in such programs." (20 U.S.C. §8806-1(b))

To emphasize its concern, the Congress authorized $5 million for each fiscal year through 1978 to be used, in part, for developing effective demonstration projects. In addition, the Education Amendments of 1974 provide that:

> "The National Institute of Education shall * * * carry out a program of research in the field of bilingual education in order to enhance the effectiveness of bilingual education programs carried out under this title and other programs for persons of limited English-speaking ability. (20 U.S.C. §8806-13(a))
>
> "In order to test the effectiveness of research findings by the National Institute of Education and to demonstrate new or innovative practices, techniques, and methods for use in such bilingual education program, * * * [the National Institute of Education and OE] are authorized to make competitive contracts with public and private educational agencies, institutions, and organizations for such purpose." (20 U.S.C. §8806-13(b))

The legislation considerably expands OE's role in training bilingual education teachers. For example, the law now provides that colleges can receive direct grants or contracts and that fellowships leading to graduate degrees can be awarded to prepare individuals to train teachers for bilingual education programs. The legislation also requires OE to annually expend for training at least $16 million of the first $70 million of appropriated program funds, and at least one-third of the appropriations over $70 million. In addition, beginning in school year 1976-77 LEAs are required to expend 15 percent of their grant funds on training.

The law requires OE to provide two reports to the Congress and the President on the "condition of bilingual education in the Nation and the administration and operation" (20 U.S.C. §8806-10(c)) of title VII. The reports, due in

November of 1975 and 1977, are to include (1) a national assessment of how many teachers are needed to carry out bilingual education, (2) a description of activities to prepare teachers and other education personnel for such programs, and (3) a phased plan for training necessary personnel to expand such programs to all preschool and elementary school children.

The Education Amendments of 1974 also underscore the importance of appropriate instructional materials. The law directs OE and the National Institute of Education to "* * * develop and disseminate instructional materials and equipment suitable for use in bilingual education programs."

OE action

To assist LEAs needing bilingual education programs and to respond to the Education Amendments of 1974, OE plans to shift program emphasis from classroom services to a capacity building strategy. The strategy was outlined in a memorandum dated December 2, 1974, from the Under Secretary of HEW to the Assistant Secretary for Education (see app. II) which stated that:

> "* * * the Administration and Congress have assumed a Federal capacity building role in the area of bilingual education. This role includes such related activities as research, testing, and dissemination of educational approaches, models and techniques for teaching students with special education needs, curriculum development, teacher training, and technical assistance to States and LEAs."
>
> * * * * *
>
> "It is clearly the intent of Congress that the goal of federally-funded capacity building programs in bilingual education be to assist children of limited or non-English speaking ability to gain competency in English so that they may enjoy equal educational opportunity * * *."

In the area of teacher training, OE, in fiscal year 1975, awarded 36 institutions of higher education a total of about $3.7 million to expand their bilingual education training and development programs. Also, 30 universities have been awarded 480 fellowships for study in the field of bilingual education training with funds of about $3 million provided by OE. The fellowships are awarded to master's and doctoral candidates to help them to train others as bilingual education teachers.

In support of the planning mandate of the law to alleviate the shortage of teachers, HEW's National Center for Educational Statistics is making several surveys. Two in particular are (1) a national survey to determine the size of the target population and its English-language proficiency and (2) a survey of institutions of higher education to determine their capability to train and retrain educational personnel to work with the target population.

Data tabulation for the national population survey of 50,000 households was completed in January 1976. The Bureau of the Census, Department of Commerce, made this survey as part of its population survey. Its purpose, in part, was to obtain an estimate of the target population, as defined by the 1974 Education Amendments, by age group and by language.

The Education Amendments of 1974 define people of limited English-speaking ability as those who were born outside the United States, have a native language other than English, or come from an environment where English is not dominant and, as a result, have difficulty speaking or understanding English. A National Center for Education Statistics official said the results of the 50,000 household survey indicated that as many as 28 million people could be included in the broad category defined by the first part of the amendment. He emphasized, however, that the survey did not show how many out of this population have difficulty in English; that is, are of limited English-speaking ability. Information on the English-language proficiency of the population will be obtained by the Bureau of the Census from a second, larger scale survey for which data collection is planned to begin in the spring of 1976.

To assess the capability of colleges to train bilingual education teachers and other educational personnel, a two-phase survey of institutions of higher education has been initiated by the National Center for Education Statistics. The first phase involved sending questionnaires to about 3,000 institutions of higher education to determine which have courses to prepare or retrain teachers or other professional and nonprofessional educational personnel to work with persons of limited English-speaking ability. Those that do will be sent a second questionnaire (second phase) requesting more detailed information on the courses and programs offered.

The first questionnaires were mailed out in October 1975; as of April 6, 1976, 2,953 had been returned. According to a National Center for Education Statistics official, about 360 of the institutions will be included in the second phase of the survey. The second questionnaires will be sent to these institutions early in May 1976.

For school year 1975-76, OE funded, at about $4.7 million, nine Materials Development Centers to work on the development of a variety of needed instructional materials. In addition to Spanish, French, Portuguese, Greek, Italian, Native American, and several Asian languages will be covered. Additionally, OE has funded, at about $1.5 million, three Assessment-Dissemination Centers to evaluate the products of the Materials Development Centers.

OE did not meet the November 1, 1975, deadline for its first report to the Congress on the condition of bilingual education in the Nation and has requested that the reporting date be extended to June 30, 1976. According to an OE official, the extension was requested because the late passage of the Education Amendments of 1974 (August 1974) did not give OE enough time to prepare a meaningful report by November 1.

CONCLUSIONS

OE has made little progress in achieving the program's goals of identifying effective educational approaches, training bilingual education teachers, and developing suitable teaching materials. This situation has adversely affected project effectiveness and exists because OE did not establish an adequate management plan to insure that the goals would be achieved. Except for the LEAs' varied approaches, the program lacks the characteristics of a demonstration program. Rather, it has taken on the characteristics of an educational service program.

OE did not formally attempt to identify approaches until fiscal year 1974 and only four approaches have been identified. The effort resulting in the identification of the four approaches was basically an attempt to identify effective approaches from a group of ongoing projects whose approaches and evaluation designs were developed autonomously and with little input from OE.

OE needs a plan to systematically develop effective educational approaches. The plan should provide for testing particular approaches which are likely to work or particular variables which are believed to have an impact on project effectiveness. It should also provide for a strong evaluation design so that there will be greater assurance that the Dissemination Review Panel will find acceptable the project's evidence of effectiveness.

Although teachers at LEA projects have received training to expand and improve their capabilities, there is a national shortage of adequately trained bilingual education teachers; however, OE has neither quantified this need nor devised a plan to attract and train such teachers. At the same time, a general surplus of elementary and secondary education teachers exists. Alleviation of the teacher shortage has also been hampered because (1) not enough colleges have training capability in this field and (2) accomplishments of Federal training programs have been limited.

OE has made considerable progress in developing and disseminating bilingual teaching materials for Spanish-speaking students; however, little has been done to fill the material needs of projects serving children who speak other foreign languages.

The Education Amendments of 1974 and OE's program policy of capacity building should help develop necessary resources. OE has initiated action, including the necessary planning, to address the teacher shortage problem. Also, OE is working toward meeting the material needs of target languages other than Spanish.

It will be extremely difficult to effectively expand bilingual education until resources are sufficiently developed. This is critical because increased numbers of LEAs will probably start bilingual programs as a result of the Lau v. Nichols Supreme Court decision. Under the demonstration program concept, OE should have planned for resource development in the program's early stages. Because this was not done, definitive action to address the problem is only now being initiated.

RECOMMENDATION

We recommend that the Secretary, HEW, direct the Assistant Secretary for Education to formulate a plan to systematically develop effective bilingual educational approaches.

AGENCY COMMENTS

HEW, by letter dated March 19, 1976 (see app. IV), agreed with our recommendation but pointed out that, until the passage of the Education Amendments of 1974, it could not be effectively carried out. HEW said:

> "The GAO report suggests an activity which would probably be best undertaken along the lines of a 'planned variations experiment.' While we concur with this recommendation, our experience has led us to conclude that a grant-in-aid program (such as that authorized for Bilingual Education) is not an effective means for systematically developing and evaluating effective bilingual education

approaches. Generally, grant programs do not provide the front-end controls necessary to yield the results GAO is seeking. In the absence of explicit legislative authority, those controls can only be provided through contractual arrangements which, until passage of the Education Amendments of 1974, were not available.

"The Education Amendments of 1974 amended the Bilingual Education Act with the inclusion of a new Part C, Section 742. The new section authorizes a variety of contractual activities to be undertaken both individually and cooperatively by the Commissioner of Education and the Director, National Institute of Education. Given this new authority, a joint OE-NIE plan of action is being formulated for the systematic development of effective bilingual education approaches as recommended by GAO."

MATTERS FOR CONSIDERATION BY THE CONGRESS

Bilingual education was relatively new in the United States when the program was established in 1968, and accordingly, the Congress intended that it be a demonstration program. The goals of the program were sound in that, before committing large amounts of money and attempting to serve all children needing these services, effective bilingual education approaches should first be developed. However, the program has evolved into a small service program and little progress has been made in achieving original program goals. This resulted primarily because OE did not formulate appropriate plans to carry out the legislative objective.

Consequently, the Congress may want to consider establishing legislative controls over future educational demonstration programs. The controls should require Federal agencies to be accountable for establishing appropriate goals, objectives, and milestones, as well as assessing the program and reporting periodically to the Congress on its progress.

CHAPTER 3

PROGRAM EFFECT ON PARTICIPATING STUDENTS

LEA project evaluation reports (1) are not designed to provide comprehensive objective evidence of the program's effect on student programs and (2) appear to be of little use to local and Federal decisionmakers. Also, many of the reports are not being submitted on a timely basis.

At the 16 projects we reviewed, some participants included in our sample were achieving at national averages in reading and math, but most were not. The gains of the English-speaking students generally surpassed those of the limited English-speaking students. The reliability of the test results, however, is questionable because the tests used were probably inappropriate for limited English-speaking children.

Project personnel believe that students have benefited through enhanced self-image, improved attitudes toward school, and increased appreciation for their native language and culture. Improvements in these areas should result in better academic achievement. Parent reaction to the program was generally favorable.

NEED FOR IMPROVED LEA PROJECT EVALUATIONS

LEA project evaluation reports are the only source of information regarding students' academic progress and serve as the basis for identifying projects worthy of replication. These reports, however, vary in design and quality because OE had given LEAs considerable latitude in their preparation. As a result, they have been inadequate for measuring program effect on student achievement, and, as discussed in chapter 2, have been inadequate for identifying projects worthy of replication.

Project evaluation designs

The inadequacy of local project evaluations has been known for some time. For example, HEW's fiscal year 1974 annual evaluation report on programs administered by OE stated:

> "* * * the only current source of data concerning the program's impact on children are the annual individual project evaluation reports whose limitations in the data or methodologies prevent them from being used to draw conclusions about overall program effectiveness."

Program regulations specify that an annual evaluation should be made for each project but give the projects much latitude in the types of behavior to measure, instruments to use, data to collect, and analyses to make. Within these general considerations, projects can use whatever evaluation design they believe appropriate. The regulations require LEAs to submit reports which include reliable, valid, or other objective measurements of project success at least twice a year. LEAs can select the subjects to be tested and the tests to use.

Of the 16 projects we reviewed, 2 did not submit evaluation reports to OE for school year 1972-73. 1/ The reports of the remaining 14 projects generally:

--Included much statistical data from various tests, both standardized and project developed, which were presented in different formats making comparisons between projects difficult.

--Attempted to measure progress in achieving goals, few of which were stated in measurable terms, such as rectifying unequal education opportunities, improving reading ability, and developing self-confidence.

--Contained a minimal amount of information on the nature, strengths, and weaknesses of classroom activities.

The Congress and OE assert that the program intends eventually to make students of limited English-speaking ability proficient in English, and, in the interim, have them make normal progress in school through instruction in their dominant language. However, for school year 1973-74 project goals varied and occasionally did not address program goals.

There was often disagreement among school officials, teachers, and aides as to whether the primary program goals should be to (1) improve the students' ability in English and other basic skills such as math, (2) enhance the students' self-image, or (3) stimulate the students' awareness and understanding of the two cultures. The stated goals of some of the projects were to improve the students' confidence and self-image and to instill pride in their native culture. At six projects, the stated goals made no reference to the participants' academic achievement. Additionally, the LEAs

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1/Evaluation reports for school year 1972-73 were the most current reports available at the time of our fieldwork.

generally did not establish measurable performance objectives. The difficulties LEAs have had in assessing English language proficiency is discussed in chapter 4.

Usefulness of reports for Federal and local decisionmaking

Several sources have concluded that individual project evaluation reports have limited use for Federal and local officials. For example, an educational research laboratory studied the impact title VII project evaluation reports have on local and Federal decisionmaking. After reviewing reports from 42 projects and discussing them with program administrators at both levels, the laboratory's report, issued in 1974, concluded that the evaluations were of little use to local and national management. In another OE-financed study completed in 1973, the contractor concluded:

> "The study team could not easily assess the qualitative use of evaluation results either in planning or in day-to-day operations, because evidence of evaluation report utility was not extensively documented."

Project directors at all but three projects we reviewed expressed some displeasure with the reports. The most frequent problem was that evaluators either made no recommendations or made unrealistic recommendations that were of little use. Others said the evaluations were not comprehensive. Most teachers interviewed said (1) they either had not reviewed the reports or had not been told of their contents and (2) the project evaluators had not visited their classrooms. Consequently, not only were most project directors dissatisfied with the reports, but the teachers responsible for implementing the changes were usually unaware of the recommendations made.

Ten project directors and 10 evaluators acknowledged that OE needs to develop more specific evaluation instructions to elicit more consistent, useful evaluations. They said that evaluations would be improved if OE indicated the academic subjects to be tested, suggested which test instruments to use, and specified a format for presenting test scores.

Reports not submitted on a timely basis

In December 1974 we attempted to review project evaluation reports for school year 1973-74. At that time, however, only six projects included in our review had submitted their reports. According to an OE official, the reports were due in July 1974, but about two-thirds of all title VII projects had not submitted them as of December.

APPROPRIATENESS OF STANDARDIZED TESTS

OE officials said that the lack of appropriate test instruments for the target population has inhibited the collection of consistent, comprehensive achievement data. Several studies have indicated that standardized achievement tests being used by most schools were developed primarily for anglo, middle-class children and are biased against limited English-speaking children, both linguistically and culturally. Consequently, these tests may not always indicate what students learned or how they compared to national averages. Project directors and evaluators we interviewed agreed with this viewpoint.

Although this problem has been widely recognized for years, little has been done to alleviate it. OE funded a national project in 1971 to do research and develop tests to measure a child's cognitive skills; that is, skills such as reading and math. During school year 1973-74, the project completed three tests designed to measure a child's learning abilities. However, they are not achievement tests. Consequently, although these tests should help teachers and LEA project directors to determine a student's individual needs, the tests' results will not provide OE with achievement data to gauge the program's effectiveness.

NATIONAL IMPACT STUDY

OE's contract for the national impact study is scheduled for completion in November 1976. The purpose of the study is to assess the program's effect on children's cognitive, affective, 1/ and behavioral domains. The children's progress in Spanish-English title VII schools will be compared with that of children not enrolled in the program. Achievement and other tests will be administered in school year 1975-76, enabling the contractor to analyze student development over 1 year. Reading and math tests will be given in English and Spanish. The contract also contains an option for a longitudinal analysis, but the decision to continue the evaluation over 2 or 3 years will be made at a later date.

1/The affective domain involves changes in the feelings, emotions, values, and personality of the child.

RESULTS OF OUR ANALYSES

At each project we randomly selected 100 English and non-English dominant participants and analyzed appropriate school records to determine their progress regarding academic achievement, attendance, grade repetition, self-image, and cultural appreciation. We also interviewed school officials, teachers, and parents to obtain their views on the projects' merits and effect on the students.

We relied on English reading and English math tests given by the LEA as part of the regular school or title VII testing program. Two analyses were made: a 1-year analysis of the students' academic achievement in school year 1973-74 and a longitudinal analysis of their progress over 2 years. We also attempted to (1) compare achievement levels of our sample with a group of nonparticipants, (2) make a 3-year longitudinal analysis, and (3) determine progress by comparing achievement levels before participation with achievement levels after participation. However, lack of control groups and test data over 3 years precluded us from making these latter analyses.

Academic progress for 1 year

Our analysis was made to determine the (1) average achievement gain for each project, (2) number of students making normal progress, and (3) students' achievement compared to "normal" expectations for their grade levels. Raw scores from standardized tests can be converted to grade equivalent scores reflecting national norms, which are provided by the test publisher based on a nationwide sampling of students. In addition to national norms, test publishers provided "expected" scores, which indicate scores students should attain to be equal with their peers at each grade level. Publishers define normal progress as a 1-month achievement gain for each month of enrollment.

The following chart shows average gains per project made by 895 sample students in reading and 551 sample students in math. The figures represent the average gains per month, with normal progress being 1.0. Fourteen projects administered standardized tests in school year 1973-74; the tests and testing interval varied. However, data could not be obtained on the entire sample of 100 students at each project because some LEAs did not include all students in the testing program and because of student absenteeism and mobility.

Average Gains by Project (note a)

	Reading		Math	
Project	English dominant	Non-English dominant	English dominant	Non-English dominant
A	.4	.6	.9	.6
B	-	-	-	-
C	.8	.9	-	-
D	.5	.7	-	-
E	.9	.5	-	-
F	.5	1.4	1.2	.8
G	1.5	1.3	1.6	1.4
H	1.7	1.9	1.4	1.4
I	1.0	1.0	.6	.8
J	-	-	-	-
K	1.2	1.1	1.6	1.0
L	1.6	.9	1.6	1.1
M	1.3	-	-	-
N	1.2	.5	1.1	.9
O	.3	.7	.6	.9
P	-	-	-	-

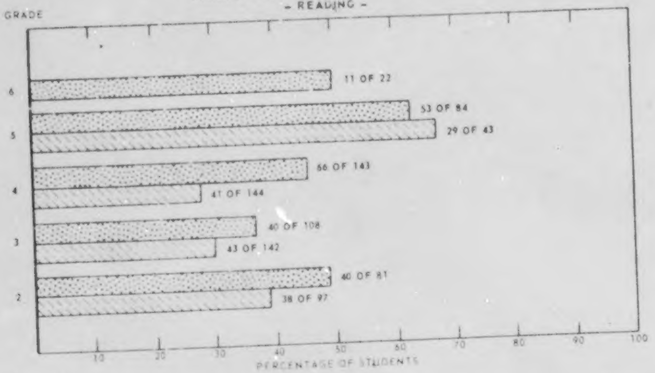
a/Where no figures are shown, it is because either the students were not tested or the scores could not be converted to grade equivalents.

There were wide differences in reading and math achievement among the projects. At three projects (G, H, and K) both English-dominant and non-English-dominant students showed substantial progress in both subjects. However, at several other projects the students, on the average, made less than normal gains. The recorded scores at projects H and K were based on tests for grades lower than the actual grade level of the students. For example, non-English-dominant third grade students were given second grade tests. Project officials said that the lower level tests were given because they were considered more appropriate for limited English-speaking students.

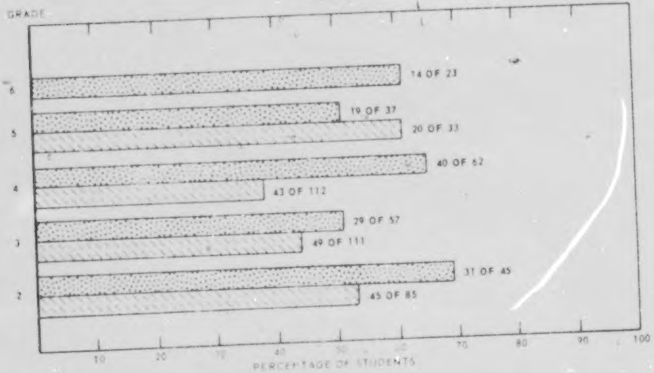
We also made analyses of test data by grade level. The following graphs show the number and percentage of English-dominant and non-English-dominant students making normal progress and achieving at expected levels in both reading and math. The data represents students in our sample at all projects.

NUMBER AND PERCENTAGE OF STUDENTS BY GRADE MAKING NORMAL PROGRESS (note a)

– READING –



– MATH –

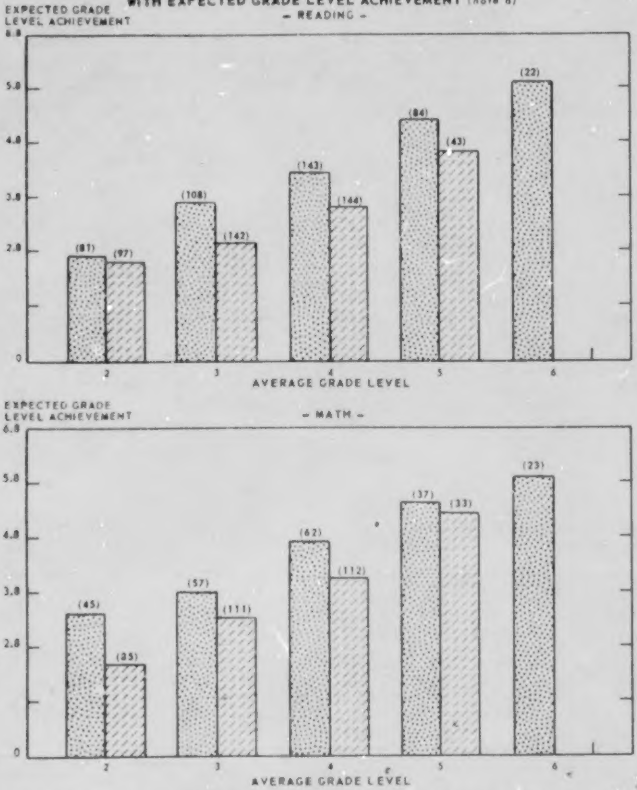


a Normal progress is 1 month gain in achievement for each month of enrollment. No percentages are shown for grade 6 for limited English speaking students [illegible] due to the limited amount of data available.

▨ ENGLISH-SPEAKING STUDENTS

▨ LIMITED ENGLISH-SPEAKING STUDENTS

COMPARISON OF AVERAGE GRADE LEVEL WITH EXPECTED GRADE LEVEL ACHIEVEMENT (note a)



a The figures represent average scores on schoolyear 1973–1974 post tests usually given in May 1974. Number of students is shown in parenthesis. Expected grade levels reflect nationwide average on such tests. No scores are shown for grade 1 or for limited English speaking students in grade 6 due to the limited amount of data available.

▨ ENGLISH-SPEAKING STUDENTS

▨ LIMITED ENGLISH-SPEAKING STUDENTS

The major findings of these analyses are:

--Overall, about half of the English-dominant students (343 of 662) made at least normal progress in both reading and math. Only one-third of the non-English dominant students (151 of 426) progressed normally in reading and less than half (157 of 341) made normal progress in math.

--The gains of the English-dominant students generally exceeded those of the non-English-dominant students in both reading and math.

--Both groups generally fell further behind expected grade levels in the higher grades.

We could not conclusively identify the variables which explain the difference in student achievement at the projects. However, several factors, such as questionable classroom approaches and shortage of bilingual education teachers, seem to affect the scores. (See ch. 4.) For example, at project A only 6 of 18 project teachers were bilingual and the non-English-dominant students received their classroom instruction primarily in English. Project D did not have sufficient instructional material which caused lower quality classroom instruction according to project officials. Another factor precluding identification of variables affecting project success was that a wide range of tests were used.

Of the 16 projects, G, which evidenced higher than normal test scores, perhaps had done most to marshal the resources needed to implement effective programs. For example, it (1) extensively used Spanish Curricula Development Center material, (2) had a full complement of bilingual teachers and teachers aides, (3) had a strong staff development component, (4) had clearly established goals and objectives, and (5) appeared to be well managed.

We reviewed school year 1973-74 project evaluation reports to compare our analyses of student achievement with that reported by the LEAs. Only six projects we reviewed had submitted annual evaluation reports. Of the six, only two reported test data which adequately indicated the academic achievement of the participants. One project showed that, on the average, target children were progressing at rates higher than English-dominant children. The other project showed that, generally, the non-English-dominant children were not doing as well as the English dominants.

Longitudinal achievement analyses

Longitudinal analyses enable the evaluator to measure a student's progress continuously for periods over 1 year, rather than only at the end of each year. Unfortunately, such analyses are inhibited by two factors. First, students frequently do not remain in one LEA for more than 1 or 2 years. We were able to obtain longitudinal reading test data on 396 students and math test data on 276. Second, if LEAs change tests from year-to-year, comparison of test scores becomes extremely difficult.

The problem of comparing scores from different tests can be partially resolved by using the results of the Anchor Test Study. This study, performed under an OE contract and completed in September 1974, resulted in new grade equivalent norms for eight commonly used reading tests for students in grades 4, 5, and 6. Appropriately, this allows for test scores to be compared among all eight tests in these grades.

The chart below shows the results of our longitudinal analysis of students who made normal progress or better during school years 1972-73 and 1973-74.

Number and Percentage of Students Making Normal Progress or Better

READING

	English dominant		Other dominant	
Grade	Number	Percent	Number	Percent
2	2	67	5	24
3	23	40	22	27
4	33	38	28	35
5	22	59	7	50
6	5	63	5	71
Total	85	45	67	33

MATH

	English dominant		Other dominant	
Grade	Number	Percent	Number	Percent
2	0	0	6	32
3	20	47	17	30
4	24	69	18	32
5	24	56	5	56
6	5	71	5	93
Total	73	57	51	35

The analysis showed that 85, or 45 percent, of 191 English-dominant students and 67, or 33 percent, of 205 non-English-dominant students made normal reading progress or better. In math, 73, or 57 percent, of 129 English-dominant students and 51, or 35 percent, of 147 non-English-dominant students achieved at least normal progress. Thus, gains made by English-dominant students on the average were better than those of non-English-dominant students. Also, a comparison of the longitudinal results with the 1-year analysis shows that students generally did not achieve as high a rate of growth over the 2-year period as they did in 1 year. OE officials said that regression of this nature is common in all compensatory or remedial educational programs.

At each of the 16 projects, we interviewed 20 parents for a total of 320. The parents were asked how they thought the program had affected their children's ability to (1) speak English, (2) write English, and (3) learn mathematics. The responses were favorable; 86, 75, and 80 percent, respectively, said they were satisfied with their child's progress. The parents of English-dominant students were somewhat less satisfied than parents of the limited English-speaking children. Detailed parent responses are shown in appendix III.

Other indicators
of program impact

Although OE officials consider academic growth to be the primary indicator of program success, they believe success should also be predicated on four other indicators--changes in the students' self-image, cultural understanding, attendance, and grade repetition.

The vast majority of teachers and aides we interviewed said that the program has had a positive impact on students' self-image and cultural understanding because the students felt more comfortable using their native language. However, little objective evidence, such as tests, questionnaires, or surveys, was available to support this contention. About 65 percent of the parents interviewed believed that their children's attitude toward school had improved since beginning the program, and 60 percent felt attitudes of their children in the project were better than the attitudes of their nonparticipating children.

During school years 1971-72 through 1973-74, the attendance of students in our sample improved at five projects, worsened at one, and remained the same at three. Three-year attendance data was unavailable at the other seven projects. Students' attendance was better than school or LEA averages in seven cases, worse in one, and about the same in four LEAs. Because of the lack of this data and because several factors can influence attendance, we could not conclude whether the program has had a positive influence on students' attendance.

Grade repetition data for sample students was available at 12 of the 16 projects. At seven projects less than 5 percent of the students had to repeat a grade and at the other five the retention rate varied from about 7 to 36 percent. At four of the five LEAs which computed grade repetition averages, sample students compared favorably to nonparticipants. However, many LEAs retained students only under exceptional circumstances. Thus, our data is inconclusive because the incidence of grade repetition can be more a function of LEA policy than a reflection of program impact.

CONCLUSIONS

OE does not know whether the program is meeting the special educational needs of the target population because LEA evaluations are not designed to provide comprehensive objective evidence of the program's effect on participants. Further, the test instruments being used by most schools for the target population are not an accurate indicator of acadmeic progress because they are probably biased against limited English-speaking children, both linguistically and culturally.

LEA project evaluation reports are the only source of data on students' academic progress. However, because OE has given LEAs considerable latitude in developing evaluation designs and preparing evaluation reports, their usefulness for assessing overall program impact is extremely limited; the variances in quality and content are great. Also, as discussed in chapter 2, poor evaluation designs have seriously hampered OE's progress in identifying effective bilingual educational approaches for dissemination. OE needs to take action to strengthen the evaluation designs used by LEAs and the corresponding evaluation reports.

Timely evaluation reports are basic to effective Federal and local level management so that adjustments affecting project implementation can be made. Evaluation reports, however, are not being prepared on a timely basis. Many projects were well into the following year of funding but still had not submitted evaluation reports for the preceding school year. OE needs to aggressively implement the program requirement that LEAs submit evaluation reports on a timely basis.

The national impact evaluation currently being done under contract for OE may provide useful information of the program's effect on participants. However, the study does not negate the need for an improved management information system which would routinely provide OE with data necessary to periodically evaluate the program and to increase the likelihood of identifying projects worthy of dissemination.

At the 16 projects we reviewed, the target children were receiving educational services and benefits that they otherwise might not have received. Available test scores indicated that some program participants made normal progress in reading and math, but most students did not achieve at rates comparable to national averages. However, as previously stated, the reliability of the test results is questionable because the test instruments used are probably inappropriate for limited English-speaking children. OE needs to make a concerted effort to identify and, if necessary, develop appropriate testing instruments. No objective evidence was available, but project personnel believe program participants have enhanced self-images, improved attitudes toward school, and increased appreciation for their dominant language and culture.

RECOMMENDATIONS

We recommend that the Secretary, HEW, direct OE to:

--Require LEAs to establish (1) specific project goals consistent with the intent of title VII and (2) clear, measurable performance objectives to achieve the goals. To be consistent with program intent, project goals and objectives should address the levels of progress desired for the participants in English proficiency and academic achievement in both English and the other language.

--Expand and improve the OE management information system so program managers have uniform, consistent data needed to evaluate and manage the program. The expanded system should be designed to provide the data to assess the effectiveness of the program and each title VII project. To accomplish the needed improvements, program regulations should be revised to specify minimum requirements for LEA evaluations, including (1) reporting format, (2) academic subjects to be evaluated, (3) analyses to be made, and (4) an external standard, such as a control group, for comparison purposes.

--Take steps to aggressively implement the program requirement that LEAs submit evaluation reports on a timely basis.

--Examine the appropriateness of testing instruments available for children with limited English-speaking ability and, if needed, take action to have better ones developed at the earliest possible date.

AGENCY COMMENTS AND OUR EVALUATION

HEW concurred in our recommendations and said that:

--The draft program regulations (published for comment in the Federal Register on April 8, 1976) require that an applicant's evaluation design include provisions for (1) assessing the applicant's progress in achieving the objectives set out in its application and (2) comparing the performance of participating children on tests of reading skills in English and in the language other than English to be used in the proposed program.

--To improve its management information system, the draft regulations require that program participants be tested in reading skills in two languages, that their performance be compared with control data, and that such comparisons include tests of statistical significance. A reporting format will be suggested to the project directors and OE's Office of Bilingual Education will extract data from individual project reports to determine total program effectiveness.

--Projects will be notified of the requirement to submit evaluation reports in writing at least 3 weeks before the deadline date. If this procedure is not productive, additional followup will be made by OE program officers. Further, projects funded over more than 1 year must submit periodic evaluation reports as a condition for funding beyond the first year.

--Draft program regulations establish a network of OE support services specifically directed toward identifying appropriate instruments for measuring the educational performance of children with limited English-speaking ability and assessing the need for such instruments and their appropriate use in bilingual education programs. In close coordination with OE, the National Institute of Education is supporting the development of assessment instruments for reading

> in Spanish and in fiscal year 1976 will support a critical analysis of existing instruments across different languages, content areas, and grade levels. This analysis will assist in identifying areas where new instrument development is needed.

The action proposed by HEW should help to improve the usefulness of its management information system in assessing overall program impact on student achievement. We believe, however, that stronger and expanded reporting requirements will be needed to provide uniform information on the program goals established by the Congress.

The legislation states that a "program of bilingual education" means a program of instruction which (1) provides for the study of English and (2) allows a child to progress effectively through the educational system. To achieve the latter goal, the legislation states that such instruction shall be given, to the extent necessary, in the native language of the limited English-speaking children with appreciation for their cultural heritage. The legislation further elaborates that instruction at the elementary school level shall be given in the native language, to the extent necessary, in all courses or subjects of study with the exception of art, music, and physical education.

The proposed program regulations require that projects evaluate participants' reading performance both in English and in their native language. These results, although certainly important, fall significantly short of obtaining results on the total program of instruction that is mandated by the legislation.

HEW said a uniform reporting format will be suggested to the projects. With this approach, it can only be hoped that projects will accept the suggestion. In view of the importance of uniform reporting in making an overall program assessment, we believe that specific reporting formats should be required and not merely suggested.

CHAPTER 4

FACTORS AFFECTING STUDENT ACHIEVEMENT

At the projects we reviewed there were two particular factors which might have adversely affected the academic achievement of limited English-speaking children.

--The dominant language of the limited English-speaking children might not have been used enough for classroom instruction.

--There often seemed to be too many English-speaking children in the project classrooms, thereby diluting program services for the limited English-speaking children.

Another factor adversely affecting program effectiveness is that projects are having difficulty in accurately assessing the English language proficiency of the target population. Additionally, OE has not adequately monitored LEAs' progress in meeting program goals.

LANGUAGE OF LIMITED ENGLISH-SPEAKING CHILDREN NOT USED ENOUGH

In a bilingual education program, a child's dominant language should be used enough to allow effective progress through school. Nine projects we reviewed were providing instruction in the dominant language of the target population less than 30 percent of the time. Average reading and math scores for the children in these projects were somewhat lower than those of similar students who received more instruction in their dominant language at the other seven projects.

The legislation characterizes a bilingual educational program as having three key ingredients: (1) instruction in, and study of, the English language, (2) use of the "other" language to teach all subjects necessary for effective school progress, and (3) instruction in the child's cultural heritage. Implementing such a program entails providing instruction in the dominant language to the extent necessary until the child can be taught in English.

Initial program guidelines, in effect during school year 1973-74, suggested that LEAs consider using any of three alternative approaches--equal time for both languages, instruction emphasizing the child's dominant language, or a strong English-as-a-second-language program. OE officials acknowledged that the latter approach should not have been suggested. All 3 approaches were in evidence at the 16 projects we reviewed.

We observed two classes per grade level at each project to determine the instructional approach and the extent to which English and the other language were used in teaching English- and non-English-dominant students. Time spent for physical education, lunch, recess, etc., was not considered. The following table summarizes our observations, and shows that, on the average, about twice as much time was devoted to academic instruction for English-dominant students in English as was devoted to teaching academic subjects to non-English-speaking students in their dominant language. For example, fourth grade English-speaking students received 71 percent of their academic instruction in English while non-English-dominant students received only 32 percent of their academic instruction in their dominant language.

Non-English-dominant students

Instructional time spent in category

Grade	(A)	(B)	(C)	Total
	----------(percent)----------			
K	35	23	42	100
1	39	25	36	100
2	41	24	35	100
3	39	30	31	100
4	37	31	32	100
5	30	35	35	100
6	29	35	36	100

English-dominant students

Instructional time spent in category

Grade	(A)	(B)	(C)	Total
	----------(percent)----------			
K	16	67	17	100
1	16	74	10	100
2	18	73	9	100
3	19	73	8	100
4	19	71	10	100
5	15	65	20	100
6	28	64	8	100

A - Second-language instruction; for example, Spanish for English-speaking students.

B - Academic subjects taught in English (math, science, history, art, language arts, etc.).

C - Academic subjects taught in the dominant language of the non-English-speaking students.

Some specific examples highlight the fact that non-English-speaking students do not appear to be getting enough instruction in their dominant language. Spanish-dominant kindergarten students at one project were taught in Spanish only 19 percent of the time. Second grade limited English-speaking students at another project received only 17 percent of their instruction in Spanish. Consequently, students identified on class rosters as non-English dominant, who supposedly learn better in another language, are nonetheless being taught primarily in English.

We also observed that in 9 of the 16 projects, non-English-dominant students in the majority of grades received more than 70 percent of their instruction in English and these students generally did not do as well as non-English speakers in the other 7 projects. Of the 12 projects having reading scores, non-English-speaking students at 5 of the 7 projects with the highest scores received more than 30 percent of their instruction in a language other than English. Conversely, four of five projects with the lowest reading scores provided their non-English-speaking participants' instruction in English more than 70 percent of the time. For the nine projects having math scores, three of the top four provided their non-English-speaking students more than 30 percent of their instruction in a language other than English.

Another analysis of the data shows that in reading, 209 non-English-speaking students receiving more than 30 percent dominant language instruction made an average gain of 1.03 months compared to an average gain of .88 months for 198 students receiving more English instruction. In math, the average gain for 175 non-English-speaking students receiving more dominant language instruction was 1.03 months compared to an average gain of .95 months for 177 students receiving more English instruction.

Eight of the nine project directors acknowledged that the students' dominant language was not used enough. Although various reasons were said to contribute to the problem, seven directors told us that the lack of adequately trained bilingual education teachers was a major cause. Two directors said that inadequate OE guidelines also contributed to the problem.

NEED TO LIMIT PARTICIPATION OF ENGLISH-SPEAKING STUDENTS

Original program regulations allowed English-dominant students to participate in the program. The Education Amendments of 1974 also make this provision and state:

> "A program of bilingual education may make provision for the voluntary enrollment to a limited degree therein, on a regular basis, of children whose language is English * * *. In determining eligibility to participate in such programs, priority shall be given to the children whose language is other than English." (20 U.S.C. § 880б-1(a)(4)(B))

However, neither the legislation nor the regulations specify acceptable classroom ratios of English- to non-English-dominant students; consequently, program services have been diluted.

At 10 projects we reviewed, all classes at each grade level participated in the program. The enrollments of English-dominant children ranged from 85 to 7 percent as shown below.

Project	Grades covered	English-dominant students Number	English-dominant students Percent	Non-English-dominant students Number	Non-English-dominant students Percent	Total project enrollment
E	K-4	166	85	29	15	195
B	K-1	84	78	24	22	108
H	K-6	910	74	328	26	1,238
M	K-5	476	70	207	30	683
J	1-4	119	63	69	37	188
I	K-5	422	55	339	45	761
C	K-2	167	47	190	53	357
F	K-6	116	39	184	61	300
N	1-4	59	36	105	64	164
O	K-4	73	7	1,000	93	1,073

The problem created for LEA management by serving total school populations is how to effectively assign students to project classrooms. If there are many more English-dominant participants, the effect is to spread non-English-dominant students and project resources among many classrooms, rather than concentrating program services on the neediest students.

There were many classrooms at the 10 projects which had significantly more English-dominant than non-English-dominant students. However, each project had at least two classrooms per grade level and it would have been possible to achieve high concentrations of non-English-dominant students by reducing the number of project classes. The examples below show classroom assignments for these students covering one grade level each at five projects.

		Classroom							
		First		Second		Third		Fourth	
Project	Grade level	Eng.	Non-Eng.	Eng.	Non-Eng.	Eng.	Non-Eng.	Eng.	Non-Eng.
E	2	19	1	18	5	-	-	-	-
J	1	18	8	22	6	-	-	-	-
B	1	19	6	18	2	8	8	-	-
H	4	32	2	28	7	12	4	-	-
I	4	6	10	18	6	20	9	22	3

Where small concentrations of non-English-dominant students are spread across several classrooms, an LEA should assign these students to fewer classes, but still allow some English-dominant students to participate. LEAs could then concentrate more resources--financial, human, and material--on target students, which is critical considering teacher and materials shortages. (See ch. 2.) By limiting the number of English-speaking participants in some way, OE would also achieve the most effective use of program funds. Of the 10 projects shown on page 48, 6 had fewer non-English-dominant than English-dominant students (projects B, E, H, I, J, and M) and seemingly would benefit by limiting the number of English-dominant participants.

PROBLEMS IN DETERMINING ENGLISH LANGUAGE PROFICIENCY

The LEAs we reviewed had difficulty in assessing the English language proficiency of the target population. Proper assessments are necessary for (1) LEAs to design effective projects, (2) evaluators to properly measure project progress, and (3) OE to make well-informed funding decisions.

Three LEAs used the student's surname as an indicator, and most of the other 13 LEAs used a combination of factors, including Bureau of Census data, language the child spoke best in school, and language the parents spoke at home.

Educators generally recognize that one's surname is not an accurate language-dominance indicator. Further, OE and project officials said that many factors must be analyzed to determine a child's language dominance and that this can best be done by using some type of test or index. OE officials told us that some language proficiency tests are available, but comprehensive information on their adequacy is not.

MONITORING ACTIVITIES

Effective project monitoring by OE is instrumental to the management process, particularly in identifying program weaknesses, recommending solutions, and insuring compliance with program intent. OE, however, has not sufficiently monitored the program primarily because a formal monitoring system, with the necessary manpower, has not been established. Many of the problems cited earlier in this report, especially those concerning project justification and direction, might have been mitigated had OE adequately monitored local activities.

OE's monitoring efforts

OE's monitoring activities include reviewing project applications and evaluation reports, as well as making on-site visits. LEAs are responsible for managing project activities to insure proper and efficient program operation. As discussed previously, project applications and evaluation reports have not contained accurate and sufficient data to make informed decisions regarding project progress. Lacking this control, OE has had to rely on visits to LEAs to correct problems.

During fiscal years 1973 and 1974, OE had 8 program officials responsible for monitoring over 200 projects. These officials did not have adequate guidance for making monitoring visits, such as (1) frequency of visits, (2) project activities and records to review, and (3) feedback to provide project staffs. In addition, the workload of the program officials made it difficult to accomplish this function. Each official was assigned between 17 and 35 projects but they also had other duties, including negotiating budgets, preparing administrative reports, and reviewing project financial transactions. OE officials said that routine project visits could not be made.

Of the 16 projects we reviewed, 2 had been visited more than once, 9 had been visited once, and 4 had not been visited at all since their inception. No data was available for one project. Project directors said that during their visits, OE monitors reviewed project records, talked with project directors and teachers, and observed some classrooms. However, followup was not provided to insure that any observed shortcomings were corrected. Project directors believed more frequent visits would have been beneficial in strengthening their programs, particularly in the early stages of project development.

OE action to strengthen monitoring activities

For fiscal year 1975, the number of program officials responsible for monitoring projects was increased from 8 to 11, and emphasis was placed on monitoring new projects. An

OE official told us that 135 first-year projects were visited; other projects were not visited because of staffing limitations. Also, to assist project monitors, a monitoring guide was developed. The guide provides direction on such matters as (1) program areas to be covered during visits, (2) preparation of monitoring reports, and (3) preparation of letters to projects stating the project monitor's findings and recommendations.

In fiscal year 1976 the number of project monitors was increased from 11 to 14 and monitoring priorities were refined. Four basic priorities were established with the highest priority given to those projects believed to be in the greatest need of help and/or new projects which seem to have had difficulty in getting underway.

Although the number of project monitors has nearly doubled in 2 years (from 8 to 14), there also has been a corresponding increase in the number of projects to be monitored (from 209 to 380). Consequently, even though priorities have been established and a monitoring guide developed, it appears that the monitoring staff will continue to have a sizeable workload.

CONCLUSIONS

Children of limited English-speaking ability might not be doing as well academically as English-speaking children because (1) not enough instruction is given in their dominant language and (2) too many English-speaking children are often put in bilingual education classrooms. Insufficient instruction in the dominant language of the limited English-speaking child appears to be due primarily to the lack of qualified bilingual education teachers. The presence of significant numbers of English-speaking students resulted primarily because OE did not establish limits on the number of these children allowed to participate. While there are benefits to be derived from having English-speaking children participate, their numbers should be limited in some way so that available program services are concentrated on the target population.

The LEAs had difficulty in accurately assessing the English language proficiency of the target population. Accurate assessments are needed for (1) LEAs to design effective projects, (2) evaluators to properly measure project progress, and (3) OE to make well-informed funding decisions.

The most reliable way of assessing English language proficiency appears to be through the use of a testing instrument. Some instruments are available but comprehensive information on their adequacy is not. Available instruments should be examined for appropriateness, and action taken to have better ones developed, if necessary.

OE's project monitoring activities have been insufficient to insure appropriate program implementation. Many problems cited in this report could have been mitigated if OE had effective monitoring activities; particularly where new projects have been established. In fiscal years 1975 and 1976 OE took action which should help to strengthen project monitoring. However, it appears the gains to be realized by staff increases will be largely offset by the increased number of projects.

RECOMMENDATIONS

We recommend that the Secretary, HEW, direct OE to:

--Establish classroom limits on the number of English-speaking participants, or use other methods which will provide added assurance that available program resources will reach the largest possible portion of the target population.

--Examine the appropriateness of available testing instruments for assessing English language proficiency and, if needed, take action to have better instruments developed.

AGENCY COMMENTS

HEW generally agreed with our recommendations and said that:

--Through careful review of applications and increased monitoring, OE is confident that it can assure an appropriate balance among participating children. The specific question of limitations will be reviewed during the comment period on the proposed regulations.

--OE, among other things, has developed a network of support centers for bilingual education that will be identifying, collecting, reviewing, developing, and disseminating appropriate language proficiency assessment materials. Working closely with OE, the National Institute of Education in fiscal year 1976 is researching several areas, including the consistency and accuracy with which alternate assessment procedures identify children in need of bilingual programs within language groups. The findings of this investigation will be used, in part, to determine the need for developing additional assessment procedures.

CHAPTER 5

SCOPE OF REVIEW

We evaluated the effectiveness of the Bilingual Education Program in developing effective bilingual educational approaches, adequately trained bilingual eduation teachers, and suitable instructional materials. Also, at 16 projects we determined the program's impact in meeting the special educational needs of a sample of limited English-speaking children.

At OE headquarters in Washington, D.C., we interviewed officials responsible for administering and evaluating the program and reviewed policies, regulations, practices, and procedures established for program administration. We also examined program evaluation reports, including those prepared by OE and private firms under contract to OE.

Of the 20 projects we reviewed, 16 were implemented at LEAs to provide educational services to limited English-speaking students and 4 were established at LEAs to develop, acquire, and disseminate instructional materials and test instruments for national use. At each project we examined project applications, records, and reports, and interviewed project officials. At the 16 projects providing classroom services, we also interviewed school administrators, teachers, teachers' aides, and made classroom observations. We also analyzed test data to evaluate the academic progress being made by a selected group of students. The 16 projects were located in Arizona, California, Colorado, Louisiana, Massachusetts, Montana, New Mexico, New York, and Texas, as shown in appendix I.

We used questionnaires to obtain pertinent information from State education agencies, colleges with accredited teacher training programs, and parents of children participating in the Bilingual Education Program.

Our fieldwork was completed in the summer of 1974. Work at OE headquarters was essentially completed in the fall of 1975.

SCHOOL YEAR 1973-74 CHARACTERISTICS OF BILINGUAL EDUCATION PROJECTS GAO REVIEWED

	Project language	Year of operation	Grades covered	Enrollment	Federal funding
Arizona					
Project D	Spanish	Fifth	Pre-K thru 5	838	$ 75,653
California					
Project C	Chinese/Spanish	Third	K thru 2	353	82,717
Project G	Spanish	Fifth	K thru 6	175	149,400
Project H	Spanish	Fifth	K thru 8	1,488	107,484
Colorado					
Project J	Spanish	Fourth	K thru 4	310	146,000
Louisiana					
Project A	French	Fourth	K thru 4	660	130,000
Massachusetts					
Project K	Portuguese	Fourth	K thru 4	200	91,669
Montana					
Project N	Crow a/	Fourth	K thru 4	175	168,331
New Mexico					
Project B	Kerasan a/	Second	K thru 4	206	88,323
Project L	Spanish	Fourth	1 thru 4	300	72,281
New York					
Project E	Spanish	Third	Pre-K thru 4	297	127,000
Project F	Spanish	Fifth	Pre-K thru 12	930	250,000
Project M	Spanish	Second	K thru 5	746	180,000
Texas					
Project I	Spanish	Fifth	K thru 6	2,185	106,695
Project O	Spanish	Third	K thru 4	1,168	196,000
Project P	Spanish	Fifth	K thru 4	700	110,000

a/American Indian languages.

MEMORANDUM

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF THE SECRETARY
DATE: DEC. 2, 1974

TO: Assistant Secretary for Education

FROM: The Under Secretary

SUBJECT: Departmental Position on Bilingual Education

At the ASE Management Conference on October 1, 1974, I directed that OE promulgate a clear, detailed set of guidelines and clearly bring to the attention of all concerned OE employees and grantees the Federal policy for the Bilingual Education program. The basis for these guidelines was to be my testimony and that of the then Acting Director of Civil Rights before Congress in March of this year, following the Supreme Court decision on the case of *Lau v. Nichols.* The purpose of this memorandum is to provide OE additional guidance to facilitate preparation of the guidelines.

In its simplest terms, the Supreme Court in *Lau* affirmed the responsibility of Local Education Agencies (LEA's) to comply with Title VI of the 1964 Civil Rights Act, and HEW regulations and guidelines issued pursuant thereto. These guidelines and regulations require that school districts take affirmative action to rectify the language deficiencies of children of limited or non-English speaking ability in such a fashion that they may enjoy equal access to the educational opportunities provided to all other students by the school system. In its decision, the Court made clear that it is the responsibility of LEA's to develop appropriate affirmative action programs for students of limited or non-English speaking ability and that the goal of such programs is to ensure equal educational opportunity. The Federal responsibility is to ensure, under Title VI, that such programs are developed and implemented -- and, to that end, the Office of Civil Rights has markedly expanded its FY 1975 compliance program in this area.

Beyond the Federal responsibility for Civil Rights compliance/enforcement, the Administration and Congress have assumed a Federal capacity building role in the area of bilingual education. This role includes such related activities as research, testing, and dissemination of educational approaches, models and techniques for teaching students with special education needs, curriculum development, teacher training, and technical assistance to States and LEA's. While these activities are obviously not exclusively a Federal responsibility, and should not be, the ability of the Federal government to mount such efforts with the needs of the entire nation in mind makes it an obvious and substantial participant in such endeavors. It should be reiterated, however, that this Federal role is one of providing assistance to States and LEA's in building their capacities to address effectively the needs of limited and non-English speaking youngsters. It is not a service role which would supplant the historic State and local responsibility for funding and administering this country's education system.

The goal of this Federal capacity building effort, as is the case in Federal civil rights compliance/enforcement activities, is the provision of equal educational opportunities for all youngsters. As I have testified, the Federal government should clearly not insist, as some would seem to propose, that special language programs attempt to support the more extensive cultural interests of the various ethnic minorities in American society. The cultural pluralism of American society is one of its greatest assets, but such pluralism is a private matter of local choice, and not a proper responsibility of the Federal government. This interpretation of the goal of the Federal bilingual education program was confirmed by the Conference Report on H.R. 69 (now P.L. 93-380) which states on page 148, "The House recedes to the Senate on the definition of a 'Bilingual education program' with an amendment to emphasize the conferees' concern that the new definition not be misinterpreted to indicate that an ultimate goal of the program is the establishment of a 'bilingual society'."

A frequent misunderstanding which seems to have provoked unnecessary and fruitless debate over bilingual policy is the failure to distinguish the goals of bilingual/bicultural programs from the means of achieving them. P.L. 93-380 emphasizes strongly that "a primary means by which a child learns is through the use of such child's language and cultural heritage...and that children of limited English-speaking ability benefit through the fullest utilization of multiple language and cultural resources." But the law makes it equally clear that the ultimate goal of Federal bilingual education programs is "to demonstrate effective ways of providing, for children of limited English-speaking ability, instruction designed to enable them, while using their native language, to achieve competence in the English language."

As stated in my testimony, we would obviously like to be able to specify the exact nature of appropriate programs to provide youngsters of limited or non-English speaking ability equal access to the educational opportunities provided all other students by the school system. However, given the current state of the art in bilingual education, this specificity is neither possible nor desirable. Programs to provide competency in English for limited or non-English speaking children vary widely. They can range from special language tutoring, to separate English language instruction classes (and approaches vary widely within this category), to bilingual education, to complete bilingual/bicultural education. Intuitively, programs -- particularly for younger children -- with a strong bilingual/bicultural component would seem to be preferable from both an educational effectiveness and equal educational opportunity standpoint to those which may impart some English speaking competence but deprive the limited or non-English speaking youngster of the opportunity to advance through the school system at a grade level commensurate with his or her age, while simultaneously failing to maintain in the youngster a positive concept of his or her cultural heritage. The particular approach and content of a model necessary to achieve this result, however, has not been identified. We simply do not have firm evidence to embrace any one model to the exclusion of others.

The variations in concentration of limited or non-English speaking children in a district, the number of different languages involved, the ages of the youngsters, the degree of native language competency, and the degree of English language competency suggest that different approaches may be appropriate in different situations. In particular, the approach necessary to enable youngsters of limited or non-English speaking ability presently in the school system to attain competency in English at a grade level commensurate with their age may vary widely.

The difficulties in specifying a single method for providing equal educational opportunity to limited or non-English speaking youngsters were clearly recognized by the Congress in Title VII of P.L. 93-380. I refer specifically to Section 703, "Definitions; Regulations" which reads in part:

> The term 'program of bilingual education' means a program of instruction, designed for children of limited English speaking ability in elementary and secondary schools, in which, with respect to the years of study to which such program is applicable
>
> "(i) there is instruction given in, and study of, English and to the extent necessary (emphasis added) to allow a child to progress effectively through the educational system, the native language of the children of limited English speaking ability, and such instruction is given with appreciation for the cultural heritage of such children, and, with respect to elementary school instruction, such instruction shall, to the extent necessary (emphasis added), be in all courses or subjects of study which will allow a child to progress effectively through the educational system;"

This same section further specifies that "in no event shall the program be designed for the purpose of teaching a foreign language to English speaking children." It is clearly the intent of Congress that the goal of Federally-funded capacity building programs in bilingual education be to assist children of limited or non-English speaking ability to gain competency in English so that they may enjoy equal educational opportunity -- and not to require cultural pluralism.

In addition to the above definitions, Section 703 specifies that:

> "...children enrolled in a program of bilingual education shall, if graded classes are used, be placed, to the extent practicable (emphasis added), in classes with children of approximately the same age and level of educational attainment. If children of significantly varying ages or levels of educational attainment are placed in the same class, the program of bilingual education shall seek to insure that each child is provided with instruction which is appropriate for his or her level of educational attainment."

This requirement is reinforced by the stipulation that applications for bilingual funds must be developed in consultation with a representative advisory committee, and that, where appropriate, such committees include representatives of secondary school students to be served.

Given the above, it should be possible for OE to develop the guidelines for implementation of the Bilingual Education Program which I requested on October 1, 1974. Further, regulations and funding criteria for applications for bilingual demonstration projects should be consistent with those guidelines. To reiterate, both the guidelines and regulations should emphasize that the Federal capacity building role, as distinguished from the Federal civil rights compliance/enforcement responsibilities, is to assist SEAs and LEAs in developing effective programs to provide equal educational opportunities to all their limited or non-English speaking students. No single program is appropriate for the individual circumstances of all LEAs subject to the requirements of Title VI of the 1964 Civil Rights Act as reinforced by Lau -- and none should be specified.

I look forward to reviewing the guidelines, regulations and funding criteria, and my staff will continue to closely monitor progress in implementing Title VII of P.L. 93-380 through the OPS system, as well as other appropriate mechanisms.

Frank Carlucci

Frank Carlucci

Prepared by: DOOLIN, EP, x51878, 11/22/74

PARENTS' OPINIONS ON THE BILINGUAL EDUCATION PROGRAM

	Parents of children who are	
	Limited English speakers	English speakers
1. Do you believe all subjects in your children's classes should be taught in English and Spanish (or other language)?		
Strongly in favor	101	77
Moderately in favor	36	51
No opinion	5	6
Moderately opposed	6	22
Strongly opposed	6	9
2. Do you feel that your children's school should teach both the Anglo and Mexican (or other) cultures?		
Strongly in favor	111	98
Moderately in favor	37	55
No opinion	3	0
Moderately opposed	2	9
Strongly opposed	1	4
3. How satisfied or dissatisfied are you with the effect of the bilingual classes on your children's ability to speak Spanish (or other language)?		
Very satisfied	88	61
Satisfied	57	82
No opinion	8	9
Dissatisfied	1	13
Very dissatisfied	0	0

	Parents of children who are	
	Limited English speakers	English speakers
4. How satisfied or dissatisfied are you with the effect of the bilingual classes on your children's ability to write Spanish (or other language)?		
Very satisfied	53	33
Satisfied	60	68
No opinion	11	35
Dissatisfied	14	19
Very dissatisfied	6	1
5. How satisfied or dissatisfied are you with the effect of the bilingual classes on your children's ability to speak English?		
Very satisfied	71	64
Satisfied	64	76
No opinion	12	16
Dissatisfied	6	8
Very dissatisfied	1	1
6. How satisfied or dissatisfied are you with the effect of the bilingual classes on your children's ability to write English?		
Very satisfied	59	42
Satisfied	56	81
No opinion	20	20
Dissatisfied	6	11
Very dissatisfied	13	11

	Parents of children who are	
	Limited English speakers	English speakers
7. How satisfied or dissatisfied are you with the effect of the bilingual classes on your children's ability to learn arithmetic?		
Very satisfied	56	45
Satisfied	74	79
No opinion	15	26
Dissatisfied	8	14
Very dissatisfied	1	0
8. How long should your children remain in the bilingual classes?		
Until they can learn all subjects in both languages	37	25
Throughout their school years (K-12)	102	97
Other	15	44
9. Would you like your children to be enrolled in the bilingual program next year?		
Yes	150	152
No	3	7
Do not care	1	6

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20201

Mar. 19, 1976

Mr. Gregory J. Ahart
Director, Manpower and
Welfare Division
U.S. General Accounting Office
Washington, D.C. 20548

Dear Mr. Ahart:

The Secretary asked that I respond to your request for our comments on your draft report entitled, "Bilingual Education: An Unmet Need." The enclosed comments represent the tentative position of the Department and are subject to reevaluation when the final version of this report is received.

We appreciate the opportunity to comment on this draft report before its publication.

Sincerely yours,

John D. Young
Assistant Secretary, Comptroller

Enclosure

Comments of the Department of Health, Education, and Welfare on the Comptroller General's Report to the Congress entitled, "Bilingual Education: An Unmet Need" -- August 15, 1975 B160431 (1)

GAO RECOMMENDATION

The Secretary direct the Assistant Secretary for Education to:

Formulate a plan to systematically develop effective bilingual educational approaches.

DEPARTMENT COMMENTS

We concur. The GAO report suggests an activity which would probably be best undertaken along the lines of a "planned variations experiment." While we concur with this recommendation, our experience has led us to conclude that a grant-in-aid program (such as that authorized for Bilingual Education) is not an effective means for systematically developing and evaluating effective bilingual education approaches. Generally, grant programs do not provide the front-end controls necessary to yield the results GAO is seeking. In the absence of explicit legislative authority, those controls can only be provided through contractual arrangements which, until passage of the Education Amendments of 1974, were not available.

The Education Amendments of 1974 amended the Bilingual Education Act with the inclusion of a new Part C, Section 742. The new section authorizes a variety of contractual activities to be undertaken both individually and cooperatively by the Commissioner of Education and the Director, National Institute of Education. Given this new authority, a joint OE-NIE plan of action is being formulated for the systematic development of effective bilingual education approaches as recommended by GAO.

GAO RECOMMENDATION

The Secretary direct OE to:

Require LEAs to establish (1) specific project goals consistent with the intent of Title VII and (2) clear, measurable performance objectives to achieve the goals. To be consistent with program intent, project goals and objectives should address the levels of progress desired by the participants in English proficiency and academic achievement in both English and the other language.

DEPARTMENT COMMENTS

We concur. The draft regulations contain provisions which require applicants to submit a description of the evaluation design for the proposed project as a precondition for approval. The evaluation design must include provisions for assessing the applicant's progress in achieving the objectives set out in its application for assistance. It must also include provision for comparing the performance of participating children on tests of reading skills in English and in the language other than English to be used in the proposed program.

GAO RECOMMENDATION

The Secretary direct OE to:

Expand and improve the OE management information system so program managers have uniform, and consistent data needed to evaluate and manage the program. The expanded system should be designed to provide data to assess the effectiveness of the program and each Title VII project. To accomplish the needed improvements program regulations should be revised to specify minimum requirements for LEA evaluations, including (1) reporting format, (2) the academic subjects to be evaluated, (3) analysis to be made, and (4) an external standard, such as a control group, for comparison purposes.

DEPARTMENT COMMENTS

We concur. Draft regulations for the program require that applications for bilingual education projects include, at a minimum, provisions for assessing the applicants' progress in meeting its objectives, and specify that the evaluation design must include measurements of performance in reading skills in two languages; a description of, and the rationale for, the instrument to be used in evaluating the performance of participants in the program; and comparison of such performance with control data including appropriate tests of statistical significance. Reporting format will be suggested to the project directors. The Office of Bilingual Education will extract data from individual project reports for use in determining the effectiveness of the total program.

GAO RECOMMENDATION

The Secretary direct OE to:

Take steps to aggressively implement the program requirements that LEAs submit evaluation reports on a timely basis.

DEPARTMENT COMMENTS

We concur. The Office of Bilingual Education will notify all project directors in writing at least (3) weeks before the established requirement for the submission of the evaluation and expenditure reports and their deadline dates. This notification also includes suggested format for the reports. If this is not productive, the project directors are then contacted by telephone and again reminded of the requirements and given new deadline dates. The project officer will provide guidance and technical assistance in developing the evaluation reports and remind the LEAs of the need to submit them on time. Regulations for multi-year funding provide for continued funding on the basis of progress in meeting program objectives; and periodic evaluation reports are necessary as a condition to subsequent funding.

GAO RECOMMENDATION

The Secretary direct OE and NIE to:

Examine the appropriateness of testing instruments available for children with limited English-speaking ability and, if needed, take the necessary action to have better ones developed at the earliest possible date.

DEPARTMENT COMMENTS

We concur. Draft program regulations establish a network of OE support services for programs of bilingual education. This network is specifically directed toward the identification of appropriate instruments for measuring the educational performance of children of limited English-speaking ability, the assessment of the need for such instruments, and their appropriate use in programs of bilingual education. In order to determine which measuring instruments are being used by project operators, the draft regulations require the applicant to provide a description of measurement instruments to be used in each project, the rationale for selecting such instruments, and procedures to be followed in their use.

In close coordination with OE's support centers and program office, the National Institute of Education is supporting the development of assessment instruments for reading in Spanish, and in FY 1976 will support a critical analysis of existing instruments used in bilingual education across different languages, content areas, and grade levels. This analysis will include instruments developed locally as well as those distributed by publishers, and will assist in identifying areas where new instrument development is needed.

GAO RECOMMENDATION

The Secretary direct OE to:

Establish classroom limits on the number of English-speaking participants, or use other methods which will provide added assurance that available program resources will reach the largest possible portion of the target population.

DEPARTMENT COMMENTS

We agree with what we understand to be the thrust of the recommendation; i.e., to ensure that limited program resources are used to benefit children of limited English-speaking ability. We recognize that the definition of a "program of bilingual education" in section 703 of the amended

Bilingual Education Act contains restrictions on the extent to which English-speaking children may participate in assisted programs. These restrictions are reflected in the draft regulations for the program which will be published for public comment. We will review the question of limitations during this comment period.

In any event, through careful review of applications and increased monitoring of projects, we are confident that we can assure an appropriate balance among participating children.

GAO RECOMMENDATION

The Secretary direct OE and NIE to:

Examine the appropriateness of available testing instruments for assessing English language proficiency and, if needed, take the necessary action to have such instruments developed.

DEPARTMENT COMMENTS

We concur. OE has developed a network of support centers for bilingual education that will be identifying, collecting, reviewing, developing and disseminating appropriate language proficiency assessment materials. Also the draft regulations require applicants to provide a description of instruments of measurement to be used in evaluating the performance of participants in the program, the rationale for selecting such instruments, and procedures to be followed in their use.

Working closely with OE program officers, NIE in FY 1976 is investigating procedures used in identifying children in need of bilingual instructional programs that are based on assessment of language proficiency and preference. Research will be conducted to determine the consistency and accuracy with which alternative assessment procedures identify children in need of bilingual programs within language groups. Included in the research will be the procedures for identifying language preference designed by the Office of Civil Rights Act with respect to discrimination against limited English-speaking children (see the Lau vs. Nichols decision). The findings of this investigation will be used in part to determine the need for development of additional assessment procedures.

NIE is also supporting an investigation to identify characteristics of limited English-speaking children which predict success in instruction provided in English. Included among the student characteristics on which data will be collected are proficiency in English and in the mother tongue, and attitudes toward language use. The results of this investigation could be used to determine the skill level necessary before children can adapt to instruction in English or to develop more relevant and reliable assessment instruments.

PRINCIPAL HEW OFFICIALS

RESPONSIBLE FOR ACTIVITIES DISCUSSED IN THIS REPORT

	Tenure of office	
	From	To
SECRETARY OF HEW:		
David Mathews	Aug. 1975	Present
Caspar W. Weinberger	Feb. 1973	Aug. 1975
Frank C. Carlucci (acting)	Jan. 1973	Feb. 1973
Elliot L. Richardson	June 1970	Jan. 1973
ASSISTANT SECRETARY FOR EDUCATION:		
Virginia Y. Trotter	June 1974	Present
Charles B. Saunders, Jr. (acting)	Nov. 1973	June 1974
Sidney P. Marland, Jr.	Nov. 1972	Nov. 1973
COMMISSIONER OF EDUCATION:		
Terrel H. Bell	June 1974	Present
John R. Ottina	Aug. 1973	June 1974
John R. Ottina (acting)	Nov. 1972	Aug. 1973
Sidney P. Marland, Jr.	Dec. 1970	Nov. 1972
Terrel H. Bell (acting)	June 1970	Dec. 1970

Appendix 7-A

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20201

May 25, 1970

MEMORANDUM

TO : School Districts With More Than Five Percent National Origin-Minority Group Children

FROM : J. Stanley Pottinger
Director, Office for Civil Rights

SUBJECT : Identification of Discrimination and Denial of Services on the Basis of National Origin

Title VI of the Civil Rights Act of 1964, and the Departmental Regulation (45 CFR Part 80) promulgated thereunder, require that there be no discrimination on the basis of race, color or national origin in the operation of any federally assisted programs.

Title VI compliance reviews conducted in school districts with large Spanish-surnamed student populations by the Office for Civil Rights have revealed a number of common practices which have the effect of denying equality of educational opportunity to Spanish-surnamed pupils. Similar practices which have the effect of discrimination on the basis of national origin exist in other locations with respect to disadvantaged pupils from other national origin-minority groups, for example, Chinese or Portugese.

The purpose of this memorandum is to clarify D/HEW policy on issues concerning the responsibility of school districts to provide equal educational opportunity to national origin-minority group children deficient in English language skills. The following are some of the major areas of concern that relate to compliance with Title VI:

(1) Where inability to speak and understand the English

language excludes national origin-minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students.

(2) School districts must not assign national origin-minority group students to classes for the mentally retarded on the basis of criteria which essentially measure or evaluate English language skills; nor may school districts deny national origin-minority group children access to college preparatory courses on a basis directly related to the failure of the school system to inculcate English language skills.

(3) Any ability grouping or tracking system employed by the school system to deal with the special language skill needs of national origin-minority group children must be designed to meet such language skill needs as soon as possible and must not operate as an educational dead-end or permanent track.

(4) School districts have the responsibility to adequately notify national origin-minority group parents of school activities which are called to the attention of other parents. Such notice in order to be adequate may have to be provided in a language other than English.

School districts should examine current practices which exist in their districts in order to assess compliance with the matters set forth in this memorandum. A school district which determines that compliance problems currently exist in that district should immediately communicate in writing with the Office for Civil Rights and indicate what steps are being taken to remedy the situation. Where compliance questions arise as to the sufficiency of programs designed to meet the language skill needs of national origin-minority group children already operating in a particular area, full information regarding such programs should be provided. In the area of special language assistance, the scope of the program and the process for identifying need and the extent to which the need is fulfilled should be set forth.

School districts which receive this memorandum will be contacted shortly regarding the availability of technical assistance and will be provided with any additional information that may be needed to assist districts in achieving compliance with the law and equal educational opportunity for all children. Effective as of this date the aforementioned areas of concern will be regarded by regional Office for Civil Rights personnel as a part of their compliance responsibilities.

Appendix 7-B

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20201

OFFICE FOR CIVIL RIGHTS

TASK FORCE FINDINGS SPECIFYING REMEDIES AVAILABLE FOR ELIMINATING PAST EDUCATIONAL PRACTICES RULED UNLAWFUL UNDER LAU v. NICHOLS

SUMMER 1975

TABLE OF CONTENTS

I. Identification of Student's Primary or Home Language ... 1

II. Diagnostic/Prescriptive Approach 4

III. Educational Program Selection 6

IV. Required and Elective Courses 13

V. Teacher Requirements 15

VI. Racial/Ethnic Isolation and/or Identifiability of Schools and Classes 18

VII. Notification to Parents of Students Whose Primary or Home Language is Other Than English 19

VIII. Evaluation 20

IX. Definition of Terms 21

The immediate implementation of the requirements listed within does not apply to those school districts which have had a substantial number of recent school-age Indo-Chinese immigrants whose primary or home language is other than English in the 1975-76 school year.

Appendix 8-C May 1977

THE BILINGUAL EDUCATION ACT:
HIGH TIME FOR A CHANGE

Joshua A. Fishman
Yeshiva University

Having spent considerable time during the 1976-77 academic year as a Senior Associate of NIE's Multilingual/Multicultural Division I have come to hold very definite convictions as to serious shortcomings in the current Bilingual Education Act. That Act is now coming up for refunding. It is, therefore, both possible for and, I believe, incumbant upon bilingual education specialists to organize themselves and to help organize others to reformulate the Act and to refund it accordingly.

There are three main revisions that I believe to be necessary:

1. The Bilingual Education Act must be an Act that is FOR bilingualism. Thus far the Act has been ambivalent if not schizoid with respect to bilingualism, not being clearly for it nor against it. This is not the case with acts for vocational education or adult education. They are clearly for their prime concerns. Only the Bilingual Education Act has been saddled with undercutting its own domain, with expunging bilingualism as much as with initiating it. This is because the Act's true purpose has been to foster English rather than bilingualism. As a result, as soon as student populations are no longer of limited English proficiency (and in New York City that means as soon as their

English test score is higher than their Spanish -- or other home vernacular -- test score, no matter how low both of these may be) they are, strictly speaking, no longer eligible to qualify under the Act. Thus, the Bilingual Education Act has been"damned if it does and damned if it doesn't". If it doesn't teach children English than it is clearly superfluous, but if it does, it is also no longer necessary.

As one who is deeply concerned for the spread of English (indeed, The Spread of English is the title of my forthcoming book), I am, nevertheless, opposed to that being the prime justification for the Bilingual Education Act. The Bilingual Education Act must be an Act that is for bilingualism, that is, for fostering both English and other languages of unique personal, familial, ethnic and regional significance to particular clusters of students. As such, as an Act that recognizes bilingualism as a resource for our country, the Act must also foster the use of languages other than English as co-media of instruction for children who are not at all deficient in English. It must help such children -- as well as children of limited English proficiency -- to acquire another language, to maintain another language and/or to develop real proficiency in another language via sequentially designed school and community experiences extending throughout the curriculum. Bilingualism is a resource for America as a whole; therefore, bilingual education should be available as an alternative for all American children.

The Bilingual Education Act must cease being schizoid about bilingualism, fostering it with one hand and plowing it under with the other, and must clearly have funds set aside for fostering the other languages of this country in addition to English and among interested populations that know English well.

2. The Bilingual Education Act must become an act on behalf of regular educational services. The Bilingual Education Act has always been an Act on behalf of demonstration programs, experimental programs, trial programs. Is it not cruel and unusual punishment for a trial to continue for a decade? It is high time for bilingual education to be admitted into the regular educational framework of our nationwide educational processes - at the national level, at the state levels and at the local levels. Just as the Office of Education has encouraged state and local educational agencies and units to undertake increased responsibility for other desired, specialized and focused forms of education, while at the same time continuing and even augmenting its own support levels, so bilingual education too must become regularized.

How long must bilingual education hold its breath every spring to find out if it will be refunded next fall? How long must it bear the burden of doubt as to whether it is coming or going, staying or leaving? How would mathematics or science instruction fare under such circumstances?

How much would guidance or health services accomplish under such conditions?

Bilingual education must begin to become a regular part of the regular educational budgets. It will more readily become such if it is also made available to English speaking youngsters whose influential parents value it. It must begin to be budgeted locally as well as federally. It must begin to be something Americans, teachers, parents and children alike can depend upon to be there, year after year, as a stable part of the total educational scene. Bilingual education represents an honorable and laudable social and educational vision. It seeks to build a proudly and creatively and sensitively bilingual and bicultural America. It must not be forced to do so on a hand-to-mouth, fly-by-night, quasi-legal basis. The Bilingual Education Act must help bilingual education become a part of the regular educational pattern of our country. If it is not permitted to do so then it is clearly becoming an Act against bilingualism and against bilingual education.

3. The Bilingual Education Act must support an adequate research base for bilingual education. The research underpinings of bilingual education are all too weak in the U.S.A. There are countries with a great deal of bilingual education and a great deal of bilingual education research (U.S.S.R.). There are even countries with fairly little bilingual education and a great deal of bilingual education research (Canada). The U.S.A. has the dubious distinction of being in the category

of having a great deal of bilingual education and very little bilingual education research. The Bilingual Education Act must allocate a far larger proportion of its funds for research than it has in the past.

Bilingual education needs research even more than do other forms of education. After half a century or more of reading research the problems of reading instruction are still far from being answered. How far then must bilingual education be from answering its pedagogical-methodological-curricular problems, steeped as they are in various accompanying psychological, sociological, cultural, political and economic complexities? Unless a huge amount of stable, continuous, interdisciplinary research is mounted on bilingual education it will become a field of "know-nothingdom" rather than a pioneering pursuit of cultural democracy and individual enrichment.

And let us not confuse research with evaluation! We may well have too much and premature evaluation in bilingual education and still be too little and too late with research in that field. Bilingual education is being called upon to pass evaluations that regular education could not pass. Would we continue teaching social studies if such studies could only be justified on the basis of how much American history and civics our children know? How long would other subjects remain in the schools if they really had to justify themselves on the basis of repeated evaluations? Evaluations of bilingual education are suspect because they are conducted in the absence of valuation for bilingual education. Evaluations of bilingual education are suspect because they are conducted without commitment to improve it, to strengthen it, to increase it, to foster it, in the way that we would for science education or social studies education or any other type of education to which we are committed. Without commitment evaluation is merely a polite device for a stab in the back.

But research is another thing. We need research on bilingual education so that we can ultimately know far better than we do today: how to teach, what to teach, and when to teach what. Different populations, subjects and grades must be taught differently. They need alternative sequences and emphases. There are different cultural values and preferences to be considered. The whole gamut of language planning topics lies before us virtually unexplored. Bilingual education is starved for research and the Bilingual Education Act must begin to give this need urgent priority status. Otherwise, the Bilingual Education Act itself becomes the primary vehicle for intellectually starving and suffocating bilingual education.

How to change the Bilingual Education Act

The Bilingual Education Act came into being, as I well remember having testified on its behalf when it first came up for Congressional consideration in 1967, as a result of the combined political power of the minorities that had come to realize the extent to which monolingual education via English-alone militated against their children's chances for social and economic mobility. This combined political power was articulated by educators, journalists, organizational leaders, community spokesmen and political representatives. These same channels of articulation, orientation, expression and mobilization must now be activated to bring about the changes in the Act that are currently felt to be desired. Bilingual educators themselves must function as movers and shakers in this connection in view of their superior education, mastery of expression and great personal involvement in the future of bilingual education.

Bilingual educators themselves, individually, through their organizations, through their clientelles (parents, students, community members) and through political channels in which they are normally involved, must contact federal, state and local educational decision makers on behalf of the necessary changes in bilingual education. They must write and visit on behalf of these changes. They must organize meetings, conferences, rallies, resolutions, statements and endorsements on behalf of these changes. In short, they must lobby and do so effectively, unembarrassedly, sophisticatedly.

Sophisticated, ongoing, uninterrupted lobbying costs money. It must be raised. It takes time. It must be found. It takes know how. It must be co-opted. Lobbying does not mean writing to or calling OBE, or their State Education Department counterparts, NIE. These offices merely implement federal policy and state policy. It is these policies that must be changed and such change ultimately gets down to votes, to political influence, to political pressure, to political give and take. Can we do it? I do hope so for if not the new Bilingual Education Act will be disturbingly like the old one. Even more money for such an unrevised act will not be a victory. It will be the beginning of the end.

Appendix 9

RUDOLPH C. TROIKE director

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Telephone (703) 528-4312
Cables CENTAPLING

April 18, 1977

Response to

AIR Study "Evaluation of the Impact of ESEA Title VII Spanish/English Bilingual Education Program"

The pending release of the American Institutes for Research study "Evaluation of the Impact of ESEA Title VII Spanish/English Bilingual Education Program" gives the illusion that certain types of inferences can be made about the program, when, in fact, they are not justified. The report, by providing only statistical averages on a national sample, does a serious disservice by failing to distinguish between the effects of good programs and weak programs, and treats bilingual education as an undifferentiated uniform whole, which it is not.

The report is subject to criticism on several grounds:

1. Weakness of pre- and post-test design over a five month period;
2. Inappropriate use of gain scores to assess effects of experimental treatments;
3. Unreliability of teacher assessment of students' language ability;
4. Inappropriate use of the CTBS to assess English reading ability with limited English and monolingual Spanish speakers, possibly invalidating the results;
5. Lack of adequate teacher training and curriculum during the first five years of Title VII funding:
6. Distortion of information which defeats the intended purpose of the report, i.e., to provide information for policy makers;
7. Aggregation of students who have received a variety of educational treatments funded by Title VII and whose language ability ranges from monolingual English ⟶ bilingual ⟶ monolingual Spanish conceals the potential effect of bilingual education.

These concerns will be dealt with in detail below.

1. According to several noted psychometricians, the use of a pre-post test design is inadequate to determine the significance of change between experimental and control groups. This problem is particularly acute here owing to the extremely short five month interval between testing periods. The research indicates that numerous difficulties arise in

the formulation of questions in terms of gain scores which tend to conceal limitations that are inherent in the data.

2. Questions about the effects of experimental treatments are frequently phrased in terms of gains. For example, does treatment A result in larger gains than treatment B? Do students in Title VII bilingual classes gain more than students in non-treatment classrooms? Although these questions seem intuitively reasonable, it does not follow that the best approach to answer them will involve the use of measures of change as dependent variables. In the AIR study, random assignment was not possible since children are assigned to bilingual programs because of their limited English speaking ability. Without random assignment it is, of course, possible that differences that may be observed in the post test score are the result of pre-existing group differences rather than treatment effects.

3. The results of the study are questionable when one considers that the individual student's language ability was assessed by the teacher. This type of assessment is questionable particularly in the case of a monolingual teacher evaluating a bilingual child. Research indicates that teacher assessment is a notoriously unreliable measure of student language proficiency.

4. The sole use of the CTBS to assess English reading ability is highly questionable particularly in the case of the bilingual-Spanish-dominant and Spanish-dominant children. Although these evaluated projects were in the fourth and fifth years of funding, the students in these classrooms varied in their length of project participation. Therefore, it is probable that the reading scores of monolingual Spanish speakers and limited English speakers who were recently placed in the bilingual classrooms would have negatively skewed the test results. The important issue here is the statistical aggregation of test scores without regard for in-group variation. It would be equivalent to giving the monolingual English students the Spanish Prueba de Lectura to assess their reading skills in an unknown language.

5. Although the projects included in this study were in their fourth and fifth years of operation, it was not until 1974 that federal funds were appropriated for teacher training or material development centers. AIR's own survey of the Title VII projects indicated that they vary greatly with regard to teacher expertise, class-hours devoted to language instruction in English and Spanish, curricula, community involvement, and student language abilities. To compare Title VII projects as a unit is highly misleading.

6. This is not to say that the data base could not provide valuable information concerning bilingual education. The continuation study to be completed by AIR in the Fall of 1977 has the potential to examine the important variables which can effect the impact of bilingual education and produce good programs: (1) teacher training and language; (2) teacher attitudes; (3) number of years students have been in bilingual classrooms; (4) type of materials used in classroom, etc. It is regrettable that the combined efforts of the Office of Planning, Budget and Evaluation (OPBE) and AIR will not look at the important issues of: (1) English oral language development; (2) Spanish as a second language achievement; (3) monolingual student growth; (4) student self-concept; (5) attendance and drop-out rates.

The interim report has analyzed those results which are of concern to OPBE--not policy makers interested in providing quality education for limited-English-speaking children.

7. In general, the type of analyses performed in the AIR study conceals the effects of important influences on educational outcomes in bilingual education. The fact that this study found little or no relationship between educational outputs and achievement is highly misleading. It is evident that the combination of data and statistical techniques used are unlikely to reveal such relationships even when they exist. The aggregate grouping of students who have received a variety of educational treatments which are funded by Title VII and considered to be bilingual education and whose language ability varies across the board will not provide information of value to policy makers.

The ensuing debate over the report in question will do little to advance our understanding of how bilingual education affects children, since the stated conclusions in this interim report are not warranted by the method of analysis used in the report. It will be important to wait for the completion of the full study which will provide a more detailed analysis of factors operative in bilingual programs.

[For additional information, contact Dr. Tracy Gray (703) 528-4312]

CENTER FOR APPLIED LINGUISTICS
Response to AIR Bilingual Study, Page 4
April 18, 1977

SAMPLE RESULTS FROM VARIOUS SCHOOL DISTRICTS

San Francisco:

Chinese-dominant students in the Title VII bilingual program in 1975-76 were at or above district and national norms in English and Math in three out of six grades, and only .1 (one month) below in two others, as measured by the Comprehensive Basic Skills (CTBS). (In addition, English-speaking students in the program performed at or above national and district norms in all grades, demonstrating that the time spent learning cantonese did not detract from English language development.)

The Spanish Title VII bilingual program students in the 7th grade showed two months greater gain than regular district students on the CBTS during 1975-76, and were only .1 below other district students in the same schools. Additionally, the absenteeism among bilingual program students was less than 1/3 that of regular program students (3.6% compared tc 12.1%). (Source: Title VII evaluation reports).

Navajo: Rock Point, Arizona.

Stanford Achievement Test scores from 1975 for reading achievement in the English in the 4th and 5th grades are only .6 and .5 years behind national norms, respectively, compared to 1.3 and 1.6 years behind in 1972 when bilingual education begin. Fifth-grade reading scores for other BIA Navajo area schools without bilingual education are 1.6 years below Rock Point. 1976 tests scores show even better results: 5th graders are now only one month (.1) below the national norm, and the 6th graders are one month above the national norm. (Source: TESOL Quarterly. Dec. 1976).

MEMORANDUM

TO: Jack Jennings
FROM: Tracy Gray Tracy Gray
DATE: June 23, 1977
RE: Response to AIR Interim Report

This response was written by my former colleagues from the staff of American Institutes for Research in Palo Alto. As Chairman Perkins mentioned at the hearings, the Record for such responses will be open until today, June 23, 1977. We, therefore, respectfully request that this response be included in the Record.

If you have any questions please do not hesitate to call me at the Center for Applied Linguistics, 528-4312.

Response to

AIR Study "Evaluation of the Impact of ESEA Title VII Spanish/English Bilingual Education Program"

The recent interim report on the evaluation of Title VII Spanish/English Bilingual Education Program has generated much controversy. We former staff members of the AIR evaluation project wish to express our concern with several issues raised by the AIR Interim Report. In the interest of providing the public with a more accurate picture, our comments will address the findings as presented in the executive summary prepared by the U. S. Office of Education, Office of Planning, Budget and Evaluation, April 1977. With this critique we propose to correct interpretations of the findings, suggest alternative interpretations, and identify the limitations of the study.

Finding 1: "Less than one-third of the students enrolled in the Title VII classrooms in grades two through six were of limited English-speaking ability." (Pg. 3)

Comment: The report has serious limitations with regard to the definition of the term "limited English-speaking" ability. Limited English-speaking ability was never assessed. Teachers determined whether each student could take a reading and a mathematics test in English or Spanish. AIR used the language in which a student took the mathematics test as the criterion for classifying students as English-dominant bilingual or Spanish-dominant bilingual, disregarding the data that was available for these students on their English and Spanish reading skills. In other words, taking a mathematics test in English or Spanish determined whether a student was classified as Spanish-dominant or English-dominant bilingual. Thus, the English-dominant bilingual students were not considered "limited English speakers". It is not surprising then that the AIR study reports a lower number of students classified as having "limited English-speaking" ability.

Finding 2: "Approximately 85% of the project directors indicated that Spanish-dominant students remain in the bilingual project once they are able to function in school in English." (Pg. 4)

Comment: This information has been interpreted to mean that project directors are implementing language "maintenance" programs. This conclusion is totally unfounded. There are no criteria established to determine when a limited English-speaking child becomes able to function in school in English; and no information was reported to determine the language treatment being received by those children identified as having made that transition.

Finding 3: "Participation in a Title VII project did not affect attitudes toward school-related activities." (Pg. 5)

Comment: The conclusion regarding the effects ot Title VII on the affective domain are incomplete and could lead to misinterpretation. The affective component consists of more than just attitudes toward school. It includes the students' attitudes toward themselves, their peers, their language, and their school curriculum. While it is available, the report does not provide data for these factors which could very well show differences between Title VII and non-Title VII students.

Of the findings presented thus far, the questions that have been raised point to a need for additional clarification and alternative interpretations. While the report has failed to discuss adequately the problems associated with these descriptive findings, we are more concerned with the approach which was taken to assess the impact of Title VII bilingual education.

The basic approach utilized in the Interim Report was one of contrasting the performance of two groups of students in English: those enrolled in Title VII Spanish/English bilingual projects and comparable students not enrolled in such projects.

The Design: The pre-post comparison group design is inappropriate for use with the ESEA Title VII population as tested.

1. The Title VII population in the study included only projects which had been in operation for four or five years. The pre-test, therefore, is not an indication of how the students were doing before treatment, but at varying points during treatment. AIR reports that Title VII and non-Title VII were equal in their pre-test scores. If Title VII was equal to the comparison group after four or five years of instruction, how can one explain that five months of instruction between testing periods can result in a significant difference?

2. In order for an adequate comparison to be done between two groups, the groups must be equal and one group must receive an educational treatment which the other group does not. The ideal situation would be to randomly assign students who have not received bilingual instruction to Title VII classrooms and non-Title VII classrooms. This is seldom possible in actual educational situations. It becomes necessary, then, to use groups of students who have been pre-assigned to Title VII and non-Title VII classrooms. It is imperative to insure, however, that the assignment has been random in effect, if not in reality. Two points are important here as they relate to the AIR study:

A. The Title VII and non-Title VII groups were not comparable on the most critical element in evaluating a language program, that is, language proficiency in English and Spanish before entering school. It is also possible that the Title VII and non-Title VII groups differed on the basis of cognitive development. We strongly urged that a cognitive development measure be used to insure group comparability, and the advisory panel concurred; by, it was not done.

B. When a popular program is instituted in a school district it is possible that "contamination" will take place. That is to say, the program, or aspects of it, are exported from the treatment classrooms to non-treatment classrooms. There are indications that this had happened in the non-Title VII classrooms used for comparison. Many of the teachers and teacher-aides in the non-Title VII classrooms were bilingual and, approximately 60% of them had attended classes on bilingual instruction. In addition, the non-Title VII students were often not only found in districts where there was a Title VII program, but also, in some cases, in the same schools and classrooms. It is very probable that non-Title VII students had previously or were presently receiving some form of bilingual instruction.

It should be pointed out that from the beginning the AIR staff and the advisory panel expressed concern as to the inappropriateness of the design. Some felt that four and five year projects were "pioneer" projects which had had few resources for implementation. Furthermore, they had operated under two different sets of Title VII guidelines. They felt that "younger" projects had benefited from the experience of the "pioneer" projects, and were in fact more representative of Title VII. Attempts to broaden the sample or alter the design were futile. The study, therefore, is representative only of four and five year projects and is not generalizable to Title VII as a whole.

We recommend that the findings and interpretations included in the AIR Interim Report be reconsidered in light of the comments and points made in this critique; and that the data collected for the evaluation of the impact of Title VII Bilingual Education Program be re-analyzed including the appropriate evaluation design embedded in the assignment of students to testing schedules.

Beatriz Arias, Ph.D., Former Associate Director
Teresa Delgado, Former Field Interviewer
Antonio De Porcel, Former Project Director
Ruddie Irizarry, Former Coordinator of Data Collection

July 5, 1977

To: The Hon. Carl D. Perkins, Chairman
Subcommittee on Elementary, Secondary and Vocational Education

From: Norma Dobrin, Ph.D.

Re: A CRITICAL OVERVIEW OF "EVALUATION OF THE IMPACT OF ESEA TITLE VII SPANISH/ENGLISH BILINGUAL EDUCATION PROGRAM." Interim report of American Institutes for Research.

Most social research is innocuous. Findings rarely affect policy decisions. However, the study conducted by American Institutes for Research (AIR) has been presented to Congress and to the press as an evaluation of the effectiveness of Title VII funded programs and, by implication, of bilingual education. It is neither. As a sociologist, I am dismayed that any serious consideration could be given a study so poorly designed and executed. Severe methodological problems in the research design are sufficient to invalidate most of AIR's conclusions.

To evaluate effectiveness, it is necessary to compare groups that are equivalent on every characteristic considered important to outcomes except for the difference on the factor being investigated. Any differences between the groups after the factor being tested is introduced are attributed to the effects of that factor. For example, testing the effectiveness of a new medicine requires at least two groups, both having the same medical problem and alike in all other ways. One group is given the medication and the other group is not. Any differences in outcomes are assumed to be the effect of the medication administered.

In this case, to determine whether the Title VII programs were effective, a comparison would have to be made of similar populations whose only difference was in receiving Title VII funded bilingual education programs. This was not done.

1. The populations were not comparable.
2. No assessment was made of any differences in programs presented in Title VII and non-Title VII classrooms.

Lack of Comparable Populations in the Sample

Unless the groups being compared for the effect of the Title VII program are alike in every other way that might be likely to affect learning, it cannot be known whether differences in outcomes are the result of the Title VII programs or the result of other differences between the children in the Title VII classes and non-Title VII classes. There are several major differences between the two:

1. English Proficiency

   About one out of five students in the Title VII classrooms (almost one out of three in second grade) were judged by their teachers to monolingual Spanish-speaking for testing purposes. In the non-Title VII classrooms, three percent were tested as monolingual Spanish-speaking. Consequently, this study cannot measure the effectiveness of Title VII programs on the students for whom it was primarily intended. What are the improvements in reading, vocabulary and mathematics scores for Hispanic students of limited English-speaking abilities who were not in Title VII programs?

2. Pretest Scores

   The non-Title VII students had higher pretest scores than the Title VII students. We do not know whether higher initial scoring leads to higher (or lower) growth rates. To draw meaningful conclusions, it would be necessary to group narrow ranges of pretest scores and compare Title VII students with non-Title VII students within each range of scores.

3. Missing Data

   Considerable amounts of data are missing. Because there is no reason to assume that the incomplete items were randomly distributed, we do not know in what ways the results would be changed if more of the information had been available.

   For example, about half the monolingual Spanish second graders had some missing reading scores as did 20% tp 25% of other second graders. Missing vocabulary scores range from 15% to 26%. Nevertheless, even though the developer's instructions required that all subtests be taken for the scoring to be meaningful, these incomplete tests were included in the AIR analysis. It cannot be determined whether the large proportion of incomplete tests were caused by inadequate supervision of the test sites by AIR or the failure of the children to understand the instructions, especially children not proficient in English. Because the tests were for reading and not for aural comprehension, results may have been biased.

Between one fourth and one third of the socioeconomic data on students' families is missing. AIR took classroom averages to fill in missing data which presupposes that missing information was no different from the information that was supplied, ~~an unwarranted assumption~~.

4. Test Sites

Locations of the testing sites were not comparable. Although the intention in the original research design was to match all Title VII projects with non-Title VII classrooms, only 18 of the 37 sites included non-Title VII projects. Most of the unmatched sites were in large urban areas or in rural areas. (Locations of matched and unmatched sites are not specified in the report.) If learning rates are different in these areas than in towns and smaller cities, then the results would be biased. Only the 19 sites with both Title VII and non-Title VII should have been compared.

Further, the non-Title VII classrooms were "nominated" by Title VII personnel as being similar to the Title VII sites. The expertise of this personnel is questionable in the data presented on student characteristics. No information is presented on whether the non-Title VII classrooms were in the same school districts as the Title VII projects or what other differences there may have been in neighborhoods or school policies which could have affected outcomes.

5. Time Between Pretests and Posttests
The times between pretests and posttests were brief, five months or less at most sites. There is no indication of whether the tests were administered in the Title VII and non-Title VII classrooms during the same weeks for each grade. At most sites testing was not completed during a single week. A difference in week more or less of schooling could be significant in a 20 week period.

6. Attrition

Attrition was greater among non Title-VII students than among Title VII students. It is possible that children who left the school system were different from the ones who remained. Such differences could affect the growth patterns observed between the pretests and posttests. Differences should be adjusted for in comparing growth scores.

In sum, to assess the effectiveness of the Title VII program, it must bed determined that the program and only the program accounted for differences between the Title VII classrooms and the non-Title VII classrooms.

The Title VII Projects

When the effectiveness of a program is being determined, features of that program have to be present in one population and absent in another. Here, the Title VII conditions must be clearly different from the non-Title VII conditions. so that any variation in outcomes can be attributed to the effects of the Title VII program.

However, in this study certain characteristics were present in both the Title VII and the non-Title VII programs and they were present to unknown extents. For Example:

1. Some of the non-Title VII children had received bilingual education. Over one fourth of the second graders were reported as having two years of bilingual education and 15% of third graders had received three years. Because it is likely a child would not be classified as having received bilingual training unless it was clearly known to have been involved in a program, most errors of classification are probably on the side of underestimating bilingual education.

   Conversely, about one out of five Title VII fifth graders were reported as having one year or less of bilingual education. The amount of bilingual education should be considered in order to discern the effects of the training over time.

2. At least three out of five teachers in the non-Title VII classes reported some bilingual education training. (Although it should be noted that only one third of the teachers in non-Title VII programs answered questions about their training as compared to those who answered other questions. This discrepency is not explained in the report.) It is likely that non-Title VII teachers are using bilingual training in their classrooms so that differences between what was taught in programs directly funded by Title VII and those that were probably indirectly funded through teacher training workshops and courses is not clear.

Nevertheless, even if "pure" cases had been found, the study of the overall adequacy of the of the Title VII program could in no way be a reflection of the effectiveness of bilingual education as was interpreted by the press. The content of the Title VII projects varied greatly. One fourth of the teachers had not received any bilingual education training, a minimum condition for bilingual programs.

By mixing the highly effective with highly ineffective projects, only some average (weighted by the number of classrooms in each project) emerges. For this data to be used for policy decisions, it would be necessary to identify the characteristics of programs that led to the greatest increment in reading and mathematics scores, especially for children of limited English-speaking ability.

Reporting

In addition to the basic problems of research design, there are certain reporting biases and unsupported statements. From the summary:

Report "Less than a third of the students in Title VII classrooms were there because of their limited English-speaking ability."

Comment The categories to which teachers were asked to assign students were not mutually exclusive. A particular child could fit into all four categories:

Spanish Surname
Need for English
Parent Request
Bilingualism

Confusion of teachers over these categories is evident in the comparison of students deemed to be in the class because of a "Need for English" with those judged to be monolingual Spanish or Spanish dominant.

Grade	Need	Monolingual Spanish	Spanish Dominant
2	479	525	122
3	452	407	83
4	416	297	133
5	241	249	98
6	225	159	44

More second graders were judged to be monolingual Spanish speaking than were counted as being in bilingual classes because they needed English. In sixth grade more children needed English than were monolingual Spanish or Spanish dominant.

Report	"Approximately 60% of the Title VII second graders were judged by their teachers to be English monolingual or English-dominant bilingual."
Comment	How could teachers judge language dominance when there is no evidence of the children being tested and half of the Title VII teachers were not proficient in both Spanish and English?
Report	"Approximately two thirds of the (Title VII) teachers and almost all of the aides indicated that they spoke both Spanish and English in their homes."
Comment	Again, according to the data, only half the teachers claim to speak both languages proficiently.
Report	"Average fall 1975 to spring 1976 achievement gains in English Language Arts for Title VII were not superior to those of non-Title VII Hispanic students."
Comment	This average seems to combine all grades and the reading and vocabulary scores in some way. Fourth grade reading and fourth, fifth and sixth grade vocabulary gains were greater for Title VII Hispanic students than for non-Title VII Hispanic students.
Report	"Title VII white non-Hispanic student pretest and posttest means showed the relative standing of these students on English Language Arts declined slightly between pretest and posttest in four of the five grades included in the study (grades 3,4,5, and 6)."
Comment	Non-Title VII white non-Hispanic students declined considerably more in fifth and sixth grades and barely held their positions in fourth grade. The greatest drop in relation to national percentiles for Title VII students in reading or vocabulary was 6 percentile points. The greatest decline for non-Title VII students was 32 percentile points.

The conclusion is correct that "...it is not evident from the current data of the Impact Study that Title VII bilingual education as presently implemented should be considered as the most appropriate approach for these students." Even less evident on the basis of this study is that Title VII programs are not appropriate, particualry in view of the considerably higher mathematics scores, the small lag in reading scores (but not vocabulary) and the added value of learning Spanish, considered a cultural enrichment on the high school and college levels.

Effectiveness of different approaches to bilingual educations as well as alternative forms of teaching children not proficient in English needs to be carefully evaluated. Such studies have yet to be made. To denigrate bilingual education or Title VII only on the basis of this defficient study would be irresponsible.

AMERICAN INSTITUTES FOR RESEARCH
IN THE BEHAVIORAL SCIENCES
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June 17, 1977

Ms. Nancy Kober
Subcommittee on Elementary, Secondary,
  and Vocational Education
Room B 346C
Rayburn House Office Building
Washington, D.C. 20515

Dear Ms. Kober:

I understand from Lynne Glassman that Chris Cross invited us to submit additional information related to our Title VII evaluation study. I am pleased to submit the enclosed information for the record. Lynne suggested I send it directly to you.

Thank you again for the opportunity to present our findings to the Committee.

Sincerely,

Malcolm N. Danoff, Ph.D.
Principal Research Scientist

MND:pc

cc: Jack Jennings
    Chris Cross
    Lynne Glassman

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EVALUATION OF THE IMPACT
OF
ESEA TITLE VII SPANISH/ENGLISH
BILINGUAL EDUCATION PROGRAM

Additional testimony prepared for the Subcommittee on Elementary, Secondary, and Vocational Education of the Congress of the United States.

Malcolm N. Danoff, Ph.D.
American Institutes for Research
Palo Alto, California

June 1977

I would like to thank the Committee for the opportunity to provide further testimony related to the Impact Study which I discussed during my appearance before the Committee on June 7, 1977. As I discussed at that time, since the publication of our reports, various reviewers have raised questions about some of the findings presented in the reports. Many of the questions are quite valid and deserve attention. Others seem to be misdirected and seek answers to questions not present in the mandate under which the study was conducted. Still others seem to be based on an incomplete reading of Volume I and Volume II.

We were not attempting to evaluate all bilingual education efforts; our mandate was the assessment of the Title VII Spanish/English bilingual program as it was being implemented in projects in their fourth or fifth year of funding. A clear distinction must be made between an evaluation effort and a research effort. Our first goal, and that addressed in Volume I, was the evaluation of the overall impact of the Title VII program on students.

Volume I was concerned with, in essence, determining to what extent the overall Title VII program is having an impact, regardless of the local variations in implementation. Title VII was funded to bring about certain changes in the performance of a particular group of students. The question asked in an evaluation effort is whether or not these anticipated changes were brought about by the overall program. We will be addressing, in further reports, research questions such as the effects of various instruction strategies on student performance and the effects of various teacher characteristics.

We strongly disagree with the contention made by one reviewer that sloppy procedures were used in the study. Another researcher--who is not intimately involved with the bilingual education movement and who is familiar with large scale research methodology in a field situation --has reviewed the reports and has concluded that the problems associated with this evaluation are no more severe (and may be less severe) than with most evaluations. In addition, the reviewer pointed out that the American Institutes of Research made a careful and thorough attempt to assess the damages associated with the problems.

One of the major concerns of reviewers seem to be the comparability of the comparison group. It is important to remember that the Impact Study was conducted several years after the projects had been funded. (The reasons for using more mature projects have already been discussed.) Suffice it to say this point, they were used in order to permit a study of the maximum effect of Title VII on student performance.) As I pointed out in my earlier testimony, a much better situation would be for the evaluation of any demonstration program to commence with the initial funding of the program and projects; and the evaluation mandate should explicitly include provisions for the creation of adequate comparison groups before educational treatment begins in the projects. This has particular bearing on the Impact Study. Not only was the evaluation performed several years after Title VII began, but the projects and districts which were included in the Study were not required to participate. When a district indicated there was no comparison school, we had no mandate, nor, means at our disposal to examine district, school or student records to verify their statement. The districts which did provide comparison schools provided a limited number, and selecting a sub-sample from the ones provided was not reasonable. As I pointed out in my previous testimony, we are continuing to examine the issue of the comparability of the comparison schools which are in the Study.

But, it is important to remember that most of our major findings were not dependent on the existence of a comparison group against which the performance of Title VII students can be compared. In our opinion, the discussions centering around the possible inadequacies of the comparison groups must not be permitted to cloud other significant findings of the study which are not dependent on comparison group analysis.

In my previous testimony, it was noted that less than one third of the students in the Title VII program were of limited English-speaking ability. This finding would in no way be affected by the adequacy or inadequacy of the comparison groups in the Impact Study. I also discussed earlier the justification for using teacher judgment to assess language proficiency. Teachers work with students on a day-to-day basis and are usually in a good position to make such judgments. Title VII teachers certainly must make such decisions daily in organizing their classrooms into various language instructional groups based on ability. Even most student language dominance tests are validated using teacher judgments.

That almost all of the projects were implementing a Spanish maintenance program is also not dependent on the adequacy of the comparison groups.

My previous testimony indicated that this finding was based on detailed interviews with project staff and intensive classroom observation, as well as on the questionnaire responses of the project director.

Our findings related to the language ability of the students in the Title VII program and the maintenance nature of the program are consistent with other research. The General Accounting Office report found that the majority of students in many bilingual projects were more proficient in English than in Spanish. As reported in a June 5, 1977 Washington Post article by Noel Epstein, a group of Hispanic-American educators reported in 1974 that 87% of the programs surveyed considered their programs to be a language maintenance program rather than a transitional program.

While it certainly would be helpful to have a non-Title VII comparison group, the presence or absence of one would not change the low level of performance on English Reading and Mathematics of the Title VII bilingual program students. The Title VII students were reading English at about the 20th percentile and doing mathematics computations at about the 30th percentile. Since most of the students in Title VII projects are English dominant or English monolingual, this overall level of performance was not a result of the student's inability to understand and speak English. While the Title VII students generally speak and understand English better than they do Spanish, they do fall far below grade norms in their ability to read and understand written English. It is not at all clear that bilingual education would be the appropriate strategy to raise English reading scores for students who already are English dominant or English monolingual, as were most of the students evaluated by the Impact Study.

Southwest Educational Development Laboratory
211 East 7th Street, Austin, Texas 78701

512/476-6861

June 2, 19[illegible]

The Honorable Carl D. Perkins
Chairman
Elementary, Secondary and Vocational Education
Subcommittee of the Education and Labor Committee
House of Representatives
2365 Rayburn House Office Building
Washington, D. C. 20515

Dear Congressman Perkins:

We wish to offer written testimony with regard to the continuation of the Bilingual Education Program under Title VII of the Elementary and Secondary Education Act. It is our understanding that the Office of Bilingual Education will recommend certain changes in P.L. 93-380. Our specific comments are:

> Under clause (1) of sub-section (a) of section 721, the Commissioner determines that no less than 15 per cent of the amounts paid to the applicant for the purpose of such programs shall be expended for auxiliary and supplementary training programs.
>
> Provisions shall be made for auxiliary and supplementary training activities, for personnel preparing to participate or persons participating in the conduct of such programs. Training activities under this section emphasizing career development, advancement, and lateral mobility in the field of bilingual education, shall utilize the services of a recognized institution of higher education.
>
> We recommend that the language read, "shall utilize the services of a recognized institution of higher education or private non-profit organizations which have expertise in bilingual education training activities."
>
> Many non-profits such as the Southwest Educational Development Laboratory have conducted major programs specifically applicable and these institutions should be eligible to participate.
>
> Section 762(a) - Bilingual Education Research and Development
>
> This section gives the Office of Bilingual Education authority to conduct programs related to research and development. The new structure specifies eligibility, activities, and requirements.

This change concerns the elimination of the National Institute of Education as joint authority for R&D activities.

The responsibility for bilingual research and development should remain the joint responsibility of the Office of Bilingual Education and the National Institute of Education and private non-profit organizations should be specifically authorized to participate.

Section 880(b)

Competitive Contracts

(b) In order to test the effectiveness of research findings by the National Institute of Education and to demonstrate new or innovative practices, techniques, and methods for use in such bilingual education programs, the Director and the Commissioner are authorized to make competitive contracts with public and private educational agencies, institutions, and organizations for such purpose.

Non-profit organizations should be specifically included.

Studies; Instructional Materials;
National Clearinghouse of Information

(c) In carrying out their responsibilities under this section, the Commissioner and the Director shall, through competitive contracts with appropriate public and private agencies, institutions, and organizations—

(1) undertake studies to determine the basic educational needs and language acquisition characteristics of, and the most effective conditions for, educating children of limited English-speaking ability;

(2) develop and disseminate instructional materials and equipment suitable for use in bilingual education programs; and

(3) establish and operate a national clearinghouse of information for bilingual education, which shall collect, analyze, and disseminate information about bilingual education and such bilingual education and related programs.

Non-profit organizations should be specifically included.

We appreciate the opportunity to express our concern with provisions of P.L. 93-380 and to support the continuation of the Bilingual Education Program authorized by Title VII of the Elementary and Secondary Education Act.

Sincerely yours,

James H. Perry

James H. Perry
Executive Director

JHP/shb

Stelvio and Lois Locci
3511 Cuesta Drive
San José, CA 95122

June 6, 1977

Chairman Studying Bilingual Education Grants
Education and Labor Committee
House of Representatives
U.S. Congress
Washington, D.C.

Dear Mr. Chairman:

Our particular concern is centered around the apparent lack of preparation of bilingual education grant administrators. In their capacity as project leaders, they should possess the language and culture knowledge and awareness necessary to avoid making a mockery of bilingual education.

Our experience shows us that appointments and selections of personnel are based on other criteria rather than the most obvious--language and culture proficiency. These persons are then in charge of training for their subordinate staff and lack the skills to perform that important function.

Unless Washington calls these programs to task and insists on--followed up by careful attention to progress--qualified personnel, we will be plagued by incompetent administrators ensuring the demise of the decade's best idea in education.

Very truly yours,

Stelvio G. Locci
Lois M. Locci

National Council of La Raza

Raul Yzaguirre
National Director

National Office

1725 Eye Street, N.W.
Suite 210
Washington, D.C. 20006
(202) 659-1251

June 9, 1977

Hon. Carl D. Perkins, Chairman
Subcommittee on Elementary, Secondary
and Vocational Education
Committee on Education and Labor
U.S. House of Representatives
Rayburn House Office Bldg., Room B-346C

Dear Mr. Perkins:

We at the Council appreciated the opportunity to testify this morning on bilingual education. I hope that Mr. Valdez' testimony and the following discussion will prove helpful to the Committee.

Mr. Valdez' prepared testimony mentioned (on page 14) the need to ensure effective representation of all segments of the communities served as local program policy decisions are made by Title VII grantees. He mentioned the current conflict in Santa Clara County, California, as an illustrative example.

Mr. Ernesto Galarza, of San José, California, had hoped to testify on that very issue. Unfortunately, Mr. Galarza was unable to appear personally. Instead, he has asked me to submit the enclosed testimony for the record.

Therefore, I ask that you accept the enclosed testimony for inclusion in the record of hearings on the accomplishments and problems of bilingual education programs under Title VII of the Elementary and Secondary Education Act.

Sincerely,

Michael Cortés

Michael Cortés, M.P.P., M.S.W.
Director of Legislative Analysis

encl.
xc Ernesto Galarza

Programs Office

114 W. Adams
Suite 719
Phoenix, Arizona 85003
(602) 252-7101

Programs Office

American Southwestern Plaza
2403 San Mateo Blvd. N.E.
Suite 514
Albuquerque, New Mexico 87110
(505) 268-2421

TO: Chairman
House Committee on Education and Labor
Washington, D.C.

FM: L.F. Emerson, Parent
519 Paiute Lane
San Jose, Calif., 95123

DT: 4 June 77

Dear Sir,

What follows is a brief outline of my experience with the Title VII Program in the Santa Clara Valley.

I assume we both agree it is a public program, designed to require parental inputs and to beneficially serve our children. Legislators assumed this when they wrote the law. Parents assumed this when they read the law. The only people who do not know it are the administrators of the program. I have been lied to, diverted, misdirected, stalled and ignored by the people in charge of the program, both here and in Washington.

I resent being denied public access to public documents about public programs.
I resent having to go to court to force that information out of local administrators.
I resent taking an already poor educational format and simply translating it into Spanish.
I resent 32% plus of program funds being spent on administrative overhead and exorbitant salaries.
I resent, after two years and over two million dollars spent, the lack of concrete results.
I resent money budgeted for my school district (supplies, materials, texts, etc) and no money budgeted for a qualified teacher.
I resent the Bilingual Consortium accountant telling me I couldn't understand their budget because he doesn't.
I resent not being notified of meetings held specifically to discuss the Continuation Application.
I resent Continuation Application meetings being held and important decisions being made by high level Consortium employees WITHOUT parental inputs.

If you desire proof of anything herein, you've only to ask.

Sincerely,

L F Emerson

L.F.Emerson
Parent

COMMUNITY ORGANIZATION FOR MONITORING EDUCATION
519 Paiute Lane
San Jose, Calif.
95123

Chairman
House Committee on Education and Labor
Washington, D.C.

June 3, 1977

Dear Mr. Chairman,

It is difficult to imagine an issue which angers Mexican parents in San Jose more than the issue of Bilingual Education. Parents and taxpaying citizens feel they have been cheated, lied to and used by administrators who saw this program as an opportunity to line their own pockets while the money was available. What amazes one and all is that at the time an application was made to H.E.W. by this group of administrators under the name of San Jose Area Bilingual Consortium, they admitted they were unprepared to provide immediate Bilingual instruction to the students they were supposed to serve. Yet, this Consortium was funded anyhow to the tune of $1,044,000.00.

During its' first year in existence, many of us attempted to get information from this Consortium about their program and were unsuccessful. The Consortium administrators were most uncooperative. Last year we joined together to form an organization which would again attempt to gain information about fiscal management, teacher training, curriculum, parent participation, evaluations, etc. The administrators have attempted at every opportunity to thwart our efforts. Thus we parents have had to take them to court to force them to give us information which should be available to the public free for the asking.

They are not just refusing us information. They are also blocking viable parent participation at every opportunity.

We demand these practices be investigated and funding be stopped. It is a corruptly administrated program and a sham.

Yours truly,

Maria Elena Gallegos

Maria Elena Gallegos
Chairperson C.O.M.E.

Present Title VII monies are mismanaged as has been shown in the San Jose Area Consortium. The results have been an over-all lack of confidence on the part of the majority of the community. Such monies(Title VII) can be useful only where expedience, power, and money don't get in the way of the original razon: "education geared to the Mexican child.

Sinceramente,
Cristobal D. Peck
Cristóbal D. Peck

cc.
Califano
Congressman Edwards
Congressman Mineta
C.O.M.E.
San Jose Area Consortium

Abigail Delgado
1166 Fremont Street
San Jose, California
95126

Michael Cortez, Legislative Analyst
National Council of La Raza
1725 Eye ST., N.W.
Washington D.C. 02006

Estimado Sr. Cortez,

The right of an individual to obtain public information is a right granted to every individual regardless of race, creed, politcal beliefs. It is with respect to, and understanding of this right, that concerned citizens explore avenues that will constructively give quality and value to organized established projects that are meant to benefit "the people".

My concerns arrive from the process encountered in the accumulation of legitimate research information while enrolled in an academic University college course. In pursue of the Bilingual Cross Cultural Teaching specialist Credential the requirements are to accumulate specified units in specified areas of instruction.

The established Bilingual Consortium in the San Jose area, serving a limited number of children found in need of actual services, poses deep concerns when constructive research through academic course work is questioned and impaired.

The responsibilities of administrative policy makers, educators, parents, and community concerned citizens is to : 1) assess all existing needs and 2) assess the implemented solutions.

A positive, strong, highly qualitive educational program can never exist when programs are not supportive nor in accordance with this compliance.

I write asking that you take this under your consideration.

Sinceramente,

Abigail Delgado

Abigail Delgado

Javier H. Salazar
473 North 13th St.
San Jose, Calif.

Michael Cortez, Legislative Analyst
National Council of La Raza
1725 Eye St. N. W.
Washington, D. C. 2006

Estimado Ese:

I am addressing, for your consideration and that of your colleagues, my following concerns:

A. There are dozens of different pieces of legislation dealing with the bilingual education concept, requiring that quality of opportunity for learning be implemented in the classrooms. The legislature fails to require a periodical examination of its agencies (i.e. H.E.W.), to see if:

1. The Bilingual Program Grants need to be as large as they are.
2. Or if the agents entrusted with those millions are doing what they should be doing.
3. Or if the programs are needed at all.

B. There have been hundreds of bilingual programs in existence throughout the country, and most, until now, have had virtually no legislative supervision. The Santa Clara County school district recipients of Title VII funds are by no means concerned about what the parents of children, with such an educational need, have to say about the fiscal management of their budget.

C. There is a history of chronical neglect, and lack of fiscal commitment on the part of our districts to address the very specific needs of those children. There is documentation to show that they consider Title VII funds as nothing else but economic subsidies, contending that with $, especially if it is an amount with 6 ciphers, the educational needs of certain target children will be taken care of. It amounts then, that these children have the right to a quality education only when the federal government or state send payment; no check, no special education.

D. For all practical economical purposes our school districts shuffle their personnel and while advocating "a new philosophy - through a new program", descaradamente move their assigned staff from one federal subsidized payroll to another; and quite often monies are combined from two or more program budgets to pay staff their full salary.

E. The overlapping budgets of catagorical programs under all the county's school districts' departamental umbrellas (i.e. S.J.U.S.D. : Title VII, Title I, E.C.E., Follow - Through, AB 2284, A-127, SB 90, AB 1329, etc., etc., etc.), have in theory a common component: "Help For The Child In Need Of Special Education".

P. 2

In some instances the fiscal management of all separate or combined budgets could be satisfactorily accounted for by the expert school administrators. But there has never been proof in this county that the same child who has been counted, tested, analyzed, prescribed, placed, instructed, and retested over, and over again, as required by all and each program, has been helped.

It is my expert opinion that the practical delivery of such programs has become an untangle mess without beginning or end. It would be idiotic for the legisture and its agencies to assume that children in these programs are receiving a "COMBINED COMPREHENSIVE BENEFIT" similar to the combined comprehensive fiscal bonanza which these programs have brought for the recipient school districts.

Sinceramente,

Javier H. Salazar

cc.
Califano
Edwards
Mineta
San Jose Area Bilingual Consortium
C.O.M.E.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
WASHINGTON, D.C. 20202

JUN 23 1977

Ms. Mary Anders
Education and Labor Committee
Subcommittee on Elementary, Secondary, and
Vocational Education
U. S. House of Representatives
Washington, D.C.

Dear Ms. Anders:

Per our phone conversation on June 8, I have enclosed a table which breaks out the estimated amount of funds for FY 1976 that were awarded to Native American and Spanish language projects. Estimates are necessary because many Title VII projects have multi-lingual components where only the gross amounts, rather than a breakdown by language, are available.

Should you have any question on this table or any other matters relating to Title VII, please call me at 245-2600.

Sincerely yours,

Louis J. Serpa

Louis J. Serpa
Administrative Officer
Office of Bilingual Education

Appendix 10

June 7, 1977

Dr. John C. Molina
Director
Office of Bilingual Education
U. S. Office of Education
Washington, D. C.

Dear Dr. Molina:

As you know, during the course of this morning's hearings on the Bilingual Education Act, Congressman Bill Ford, who was acting as chairman of the Subcommittee at the time, notified you that we would be submitting additional questions to be answered for the record. Given the restraint of time we were not able to pursue all of these questions and therefore we would appreciate your responding to them as soon as possible and no later than June 12th so that we can include them in our printed hearing record. The questions are attached to this letter.

Thank you very much.

Sincerely,

Carl D. Perkins
Chairman

CDP/jm

Dr. Molina

1.(a) Could you tell us what the major problems are in administering the Bilingual Education Act? In particular, what problems do you have with the law that presently exists and what recommendations would you make for improvements?

(b) Could you tell us about the staffing in the Office of Bilingual Education, the amount of travel funds you have, and the amount of monitoring this staffing and travel funding permits? Could you make a comparison for the last several years?

2. Do you believe that the primary focus of the Bilingual Education Act ought to be on transitional courses, that is on teaching children enough English to participate in regular courses, or do you believe that the primary focus ought to be on maintaining or achieving proficiency in the second language after proficiency is gained in English?

3. (a) As you know, the original emphasis under the Bilingual Education Act was to find innovative ways of providing bilingual education and to demonstrate their effectiveness. Do you believe that at this point in time there is a need to continue this demonstration emphasis, or do you believe that we should instead shift to providing ongoing services to children in need of bilingual education? Or to ask the question another way, should the Act fund demonstration programs, service programs, or start-up costs for service programs?

(b) Do you believe that your practice of giving non-competitive grants fosters a service approach? Could you tell us how many of your grants for the last several years were competitive and how many were non-competitive?

4. Could you also provide us with a chart showing the total amounts of grants you made to school districts by State and compare this to the numbers of persons of school-age with limited English-speaking ability in those States?

5. Could you also tell us how many students in funded programs are in pre-school, elementary school, high school, and adult programs?

ESEA TITLE VII-BILINGUAL EDUCATION FOR 1976-77
BASIC AND TRAINING FUNDS FOR NATIVE-AMERICANS AND SPANISH SPEAKING PEOPLE

	BASIC	%	BASIC TRAINING	%	FELLOWSHIPS	%	IHEs	%	RESOURCE CENTERS	%	TOTAL TRAINING	%
NATIVE-AMERICAN	$2,856,099	5	$645,281	6	$130,000	3	$656,000	7	$757,000	15	$2,188,281	8
SPANISH	$45,146,287	76	$7,674,134	75	$2,741,747	69	$6,640,000	72	$3,226,000	65	$20,281,881	71
TOTAL ESEA TITLE FUNDS	$59,362,448	100	$10,232,316	100	$3,996,749	100	$9,275,000	100	$5,000,000	100	$28,504,065	100

6. How many States now have their own programs of bilingual education? Please describe these programs and tell us how much funding is provided in each? And please tell us whether you have experienced any problems with these programs in administering the Act.

7.(a) How many States have received State technical assistance grants and what are the States doing with these funds?

(b) Do you believe that at this point in time we should change the program from a direct school district grant program to a State-administered program?

8. Please describe the amount of funds spent on technical assistance and curriculum development centers, and the activities of these centers?

9. In 1974 the Bilingual Education Act was amended to delete the requirement that participating children must be from low-income families. Do you have any statistics on whether fewer or more children from low-income backgrounds are now receiving services than before?

10. Could you tell us how the grants to Bureau of Indian Affairs' schools are made and whether you have any problems with that aspect of the program? Could you also tell us whether the BIA has submitted its legislatively required annual report for the last few years?

11.(a) Could you tell us how the provision is working out requiring each local school district to spend 15% of its grant on training activities?

(b) Are you experiencing any problems with the other training funds, including the fellowships? In connection with the fellowships have you provided the Congress as required by the legislation with a report each year on the number of fellowships you believe to be necessary?

12. Do you have any statistics regarding the participation of students who are not of limited English ability in bilingual classes?

13. Why is there such a discrepancy between projects in per pupil expenditures? For example, Hoboken, N. J. district received a $174,000 basic grant for over 1800 students to be served, while Buffalo, N. Y. received a $205,000 grant to serve 330 children in fiscal 1976.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
WASHINGTON, D.C. 20202

JUN 10 1977

Honorable Carl D. Perkins
House of Representatives
Washington, D.C.

Dear Mr. Perkins:

In response to your letter of June 7, 1977, we are submitting the attached response for insertion into the Congressional Record.

Sincerely yours,

John C. Molina
Director
Office of Bilingual Education

1.(a) Could you tell us what the major problems are in administering the Bilingual Education Act? In particular, what problems do you have with the law that presently exists and what recommendations would you make for improvements?

ANSWER: The major problems in administering the Bilingual Education Act are in the allocation of funds within Title VII.

In administering the six programs within the Office of Bilingual Education, Congress has appropriated funds with specific line items that often do not reflect the needs as identified by the field.

The limitations on training activities, for example, does not allow OBE to distribute funds according to priorities. Even though formal degree-oriented programs or resource training centers are in great need, the 15% training monies attached to the basic program can not be redistributed to facilitate these priorities.

1.(b) Could you tell us about the staffing in the Office of Bilingual Education, the amount of travel funds you have, and the amount of monitoring this staffing and travel funding permits? Could you make a comparison for the last several years?

ANSWER: With the freeze on hiring imposed on February 28, the Office of Bilingual Education had 47 staff members of which 13 are in a supervisory or management position, 14 are support staff, and 20 are program monitors. In FY '76 OBE spent $67,993 in travel about half of which was used for monitoring 144 projects and the other half for regional conferences and other forums for offering technical assistance in the interpretation of the new Regulations.

Page -2-
Honorable Carl D. Perkins

In FY '77 we have a total of $72,000 for travel, including about $36,000 for site visits to 221 projects out of a total of 592. Next year we will fund over 700 projects and with the 20 program monitors we will be able to visit 250 projects.

2. Do you believe that the primary focus of the Bilingual Education Act ought to be on transitional courses, that is on teaching children enough English to participate in regular courses, or do you believe that the primary focus ought to be on maintaining or achieving proficiency in the second language after proficiency is gained in English?

ANSWER: We are in agreement with the primary objective of the Bilingual Education Act which is the development of competency in the English language necessary for a child to participate successfully in the school program and in the society as a whole. However, if we are to fully develop the language resources of this country, continuation of programming in the student's native language should take place even after he/she is able to function in English. This does not mean maintenance in the sense of a program which provides equal time and emphasis to English and the native language, since the major part of the student's time is spent in classrooms where English is the medium of instruction once he/she has achieved sufficient mastery. It does mean, however, that there will be continued programming in the native language to insure its continuation and development. To fail to maintain the home language of the children in bilingual projects would seem to us to be overlooking a valuable by-product of the program.

3.(a) As you know, the original emphasis under the Bilingual Education Act was to find innovative ways of providing bilingual education and to demonstrate their effectiveness. Do you believe that at this point in time there is a need to continue this demonstration emphasis, or do you believe that we should instead shift to providing ongoing services to children in need of bilingual education? Or to ask the question another way, should the Act fund demonstration programs, service programs, or start-up costs for services programs?

ANSWER: The Office of Education must continue to search for ways of providing equal educational opportunities for all children. Changing the mission or goals of the Office at this time would seem to indicate that the job has been successfully completed, when in reality we have only scratched the surface. States and local school districts are just now beginning to catch up to the new ideas which bilingual programs are discovering for the education of the linguistically different child.

Based on the amount of work that has been done in the area of demonstration, we are recommending that the emphasis of the program be shifted to an implementation mode. This will give districts an opportunity to extract those techniques and approaches which have been proven effective for use in their own programs. This means that individual school districts will have to assess and evaluate the effectiveness of their own program and we must allow some flexibility in the law for needed changes to be made.

3.(b) Do you believe that your practice of giving non-competitive grants fosters a service approach? Could you tell us how many of your grants for the last several years were competitive and how many were non-competitive?

ANSWER: The practice of giving non-competitive grants does not foster a service approach. Initially, all applicants must compete for funds. In their application school districts must state the number of years needed to develop and institutionalize the proposed program.

Once the award is granted, the project becomes non-competitive over a period of years to demonstrate bilingual education techniques and practices to students who are most in need of this educational approach.

4. Could you also provide us with a chart showing the total amounts of grants you made to school districts by State and compare this to the numbers of persons of school-age with limited English-speaking ability in those States.

ANSWER: The National Center for Educational Statistics is currently taking a survey to determine the number of children of limited English-speaking ability in the nation. However, these figures will not be available until the fall at which time they will be included in the Report to Congress on the "Condition of Bilingual Education in the Nation."

Final figures on the dollar amounts of FY'77 Title VII grants to school districts are not available since those grants are now being negotiated by the Office of Contracts and Grants in the Office of Education. Final figures for FY'77 grants will be available about the middle of October, 1977. Enclosed is a table containing final grant figures by States for FY'76.

5. Could you also tell us how many students in funded programs are in pre-school, elementary school, high school, and adult programs?

ANSWER: For the school year 1976-77 there were 4,291 pre-school, 218,892 elementary school, and 36,181 high school students participating in Title VII programs for a total of 259,3644.

ALASKA	11,965.00
ARIZONA	31,583.00
CALIFORNIA	314,134.00
COLORADO	9,322.00
CONNECTICUT	12,387.00
DELAWARE	4,293.00
DISTRICT OF COLUMBIA	3,757.00
FLORIDA	38,488.00
HAWAII	8,488.00
IDAHO	2,321.00
ILLINOIS	55,993.00
INDIANA	850.00
KANSAS	2,500.00
LOUISIANA	35,048.00
MASSACHUSETTS	38,054.00
MICHIGAN	21,537.00
MINNESOTA	3,140.00
NEW HAMPSHIRE	5,000.00
NEW JERSEY	40,208.00
NEW YORK	215,966.00
OKLAHOMA	8,000.00
OREGON	8,543.00
PENNSYLVANIA	17,104.00
RHODE ISLAND	15,011.00
TEXAS	242,912.00
VERMONT	3,000.00

WASHINGTON	17,349.00
WISCONSIN	8,895.00
PUERTO RICO	9,440.00
TRUST TERRITORY	10,412.00
VIRGIN ISLANDS	4,299.00

We do not have the number of adults who participated, however, most programs did have classes or workshops for parents included as a part of their program.

6. How many States now have their own programs of bilingual education? Please describe these programs and tell us how much funding is provided in each? And please tell us whether you have experienced any problems with these programs in administering the Act.

ANSWER: Attached are lists taken from a recent study funded by the Office of Planning, Budgeting and Evaluation on State bilingual education programs.

Recommendations of the study are that the federal government:

1. Works with states to help them identify and describe the students in need.
2. Provide more information on effective practices.
3. Provide more training and technical assistance on needs assessment, program design, and program management.

7.(a) How many States have received State technical assistance grants and what are the States doing with these funds?

ANSWER: State education agencies were funded for the first time in FY '76. State education agencies most often provide assistance in the form of workshops, conferences, dissemination of information and monitoring.

The attached list gives each state and the amount of funding given in FY '76.

10. Could you tell us how the grants to Bureau of Indian Affair's schools are made and whether you have any problems with that aspect of the program? Could you also tell us whether the BIA has submitted its legislatively required annual report for the last few years?

ANSWER: Section 722(b) of the Title VII legislation authorizes the Commissioner of Education to make payments to the Secretary of the Interior to carry out programs of bilingual education for Indian children served by BIA schools. These schools compete with all other schools for project funding. For FY '77 OE/OBE has funded 11 projects in BIA schools (nine continuations and two new programs) in six states: New Mexico, South Dakota, North Carolina, Arizona, Florida, and Mississippi, for a total of $1,316,225.00 (we have attached a list of these projects.)

Proposals submitted by BIA schools are submitted to the BIA Office of Indian Education Programs for review and comment before they are submitted to OE/OBE. In administering the projects, OE/OBE communicates directly with local project staff and monitors each project on the same basis as it does all other Title VII projects. BIA agency, area, and central office staff may accompany OBE staff on site visits.

The length of time that is required for funds to reach project schools as a result of agency procedures has proven to be a major problem in the administration of this program. At the present time, BIA and OBE are in discussion on this problem with a meeting tentatively scheduled for mid-June.

We were unable to ascertain whether or not the BIA has submitted its annual program review to Congress for the last few years.

MAY 2 6 1977

Mr. Fred Will
Chief
Grant and Procurement Management Division

Director
Office of Bilingual Education

Funding for BIA Schools

The Office of Bilingual Education will be funding the following programs in BIA Schools and we request that the funds listed below be transferred to the BIA for that purpose.

NEW PROJECTS:	TOTAL	BASIC	TRAINING
Northern Pueblos Agency Dept. of Interior P. O. Box 580 Santa Fe, New Mexico 87501	$ 106,434	$ 92,552	$ 13,883
Sicangu Oyate Ho, Inc. St. Francis Indian School St. Francis, South Dakota 57582	67,400	58,609	8,791
CONTINUATIONS:			
Sanostee School, BIA Navajo Area, Shipprock Agency Shiprock, New Mexico	116,486	101,292	15,694
Cherokee Indian Agency Cherokee, North Carolina	150,000	130,435	19,565
Many Farms High School Many Farms, Arizona	61,234	53,247	7,987
Low Mountain Boarding School Chinle, Arizona	75,118	65,320	9,798
Eastern Navajo Agency P. O. Box 323 Crownpoint, New Mexico	138,807	120,702	18,105
Sky City Community School (Formerly Acomita Day School) P. O. Box 97 San Fidel, New Mexico 87049	140,840	122,477	18,372

Mr. Fred Will - page 2

(CONTINUATIONS CONT'T):

Papago Indian Agency P. O. Box 578 Sells, Arizona	$ 72,278	$ 62,851	$ 9,427
Ahfackee Day School (Seminole Agency) Star Route Box 40 Clewiston, Florida	60,000	52,173	7,827
Mississippi Band of Choctaw Indians Choctaw, Mississippi	327,628	284,984	42,734

Dean Bistline /s/

John C. Molina

cc: RF, OBE, MOLINA
MUNIS:gj:5/25/77:52595

11.(a) Could you tell us how the provision is working out requiring each local school district to spend 15% of its grant on training activities?

ANSWER: The 15% of the basic program for training places some constraint on some school districts. The strict limitation prevents school districts from planning ways to meet their needs for trained personnel in the classrooms.

It seems that local school districts should have the flexibility to determine their training component that would meet the specific needs for its bilingual education program.

11(b) Are you experiencing any problems with the other training funds, including the fellowships? In connection with the fellowship have you provided the Congress as required by the legislation with a report each year on the number of fellowships you believe to be necessary?

ANSWER: We are experiencing no problems with other training funds including fellowships.

As required by legislation, Congress has been notified by the Commissioner of Education with a report each year on the number of fellowships he believes to be necessary. The FY '75 annual report of the Commissioner on the Condition of Education addresses this mandate on Pagé 50. The FY '76 report is still in draft form.

12. Do you have any statistics regarding the participation of students who are not of limited English speaking ability in bilingual classes?

ANSWER: All projects are required to furnish this information, however, we have not yet compiled the data. Statistical data submitted in the new applications indicate that the majority of the children that are to be served are of limited English-speaking ability.

13. Why was there such a discrepancy between projects on per pupil expenditures? For example, Hoboken, N.J. district received a $174,000 basic grant for over 1800 students to be served, while Buffalo, N.Y. received a $205,000 grant to serve 330 children in fiscal year 1976.

ANSWER: Projects differ in per pupil expenditures because the cost of a project is based on the program designed by the school district. While some projects are extensive in terms of number components, others are not. In addition, some projects have more resources to provide a comprehensive plan of all their activities than others.

June 15, 1977

Dr. John C. Molina
Director
Office of Bilingual Education
U. S. Office of Education
Reporters Building
Washington, D. C.

Dear Dr. Molina:

As part of the hearing record of the Bilingual Education Act, I would appreciate responses to the following questions which were submitted to me by El Congreso Nacional de Asuntos Colegiales, an organization representing the Hispanic population in approximately 300 community colleges, both in the United States and Puerto Rico.

Due to the fact that I did not have time to address you on these questions during your presentation, I would appreciated it if you could address the responses to me.

They will be made part of the formal hearing record as the House Education and Labor Committee continues its review of programs funded under the Elementary and Secondary Education Act.

1. What kind of dialogue does the Office of Bilingual Education have with different components of bilingual education now funded under other Federal aid programs of the U.S. Office of Eduaation. How many of these other programs indirectly or directly affect and sewve the needs of Community College students that may be in need of continuing bilingual education programs?

Dr. John C. Molina
June 16, 1977
Page 2

2. What different results have been accomplished by Bilingual Education programs funded under Title VII that is different from the accomplishments of other Federal programs serving the needs of minority groups such as Title I, migrant education, Adult Basic Education, vocational education, and so forth.

3. What data is available today that you could briefly summarize that gives evidence that bilingual education is a viable alternative within the educational system?

4. What specific efforts have been initiated and documented in the evaluation of bilingual education programs during your tenure as director?

5. With regard to the 1200 Community and Junior Colleges in the United States and Puerto Rico, which serve approximately 80 per cent of the total Spanish-speaking population attending post secondary institutions, how many of them were recipients of Title VII programs.

6. What steps or directions is the Federal Government, and Title VII, taking to serve the needs of Community and Junior Colleges, particularly those serving minority group members?

Some of these questions were answered in varying form during the Bilingual Education Act hearings just concluded, and, if that is the case, I would appreciate a summary of the U. S. Office of Education's response.

Your reply can be sent directly to the attention of John Jennings, with a copy coming to my office.

Thanking you in advance for your cooperation, I am

Sincerely,

Baltasar Corrada
Member of Congress
#547

GFS/MT
FILE: Bilingual Education

cc: Pepe Barron, El Congreso Nacional de Asuntos Colegiales
One DuPont Circle, N.W., Suite 400, Washington, D.C. 20036

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
WASHINGTON, D.C. 20202

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Honorable Baltasar Corrada
House of Representatives
Washington, D. C.

Dear Mr. Corrada:

Thank you for your letter of June 15 concerning additional inquiries on the Bilingual Education Act. It is a pleasure to respond to your questions.

1. Under the tenure of Commissioner Bell, the Bilingual Education Coordinating Council was established to intramurally open channels of communication between those parts of the Office of Education which impact in some way on bilingual education. This Council was strongly supported by Commissioner Aguirre and it is expected that Commissioner Boyer will support it also.

   The Council is composed of top level personnel (Director or Deputy Commissioner) from the following Office of Education components:

   - Office of Bilingual Education
   - Office of Planning
   - Office of Management
   - Office of Indian Education
   - National Institute of Education
   - Teacher Corps
   - Regional Liaison Unit
   - Bureau of Postsecondary Education
   - Bureau of School Systems
   - Bureau of Education for the Handicapped
   - Bureau of Adult Education
   - Regional Commissioners Standing Comm. on Biling. Education

   The Council is charged with responsibility of coordinating Office of Education programs areas involved with bilingual education. It is currently in the process of establishing systems for data collection and analysis which would uniformly cover all programs represented on the Council. This will enhance the Office of Education bilingual education effort by enabling the programs to perform as complementary and integral parts of a concerted effort in bilingual education.

With respect to Community College students, we are also placing an emphasis on the training of teacher aides and paraprofessionals, most of whom are drawn from the bilingual culture and are therefore able to respond more positively to the diversity of behavior involved in cross-cultural encounters. Many of these are trained in community and junior colleges close to their home environment.

2. The Title VII Bilingual Education funded programs have accomplished the establishment of full-time academic instructional programs in a language other than English-speaking children, permitting such children to progress through the educational system at the same rate as other children of the same age while they are learning English.

   The Title VII Basic Program also mandates 15% of the amount funded to be spent for auxiliary and supplementary training programs to train personnel participating in or who wish to participate in the conduct of a basic program. This effort is increasing the number of personnel qualified to participate in bilingual instructional programs.

3. The Office of Education has identified four bilingual exemplary programs will conduct an "Evaluation of Bilingual Implementation" study to determine:

   1) How effective are bilingual programs in improving student achievement and attitude;

   2) Identify any implementation problems;

   3) Ascertain the replicability and transportability of the exemplary programs.

4. During my tenure as Director, the Office of Education has initiated and documented the following studies in the evaluation of Bilingual Education:

   A. American Institute for Research in Palo Alto, California, conducted the "Evaluation of the Impact of ESEA Title VII Spanish/English Bilingual Education Program."

      The goals of the study were:

      a. To determine the impact of bilingual education on students on cognitive and affective domains in Spanish/English bilingual projects funded through ESEA Title VII;

      b. To identify process characteristics which result in greater gains in outcome variables;

c. To describe input and process variables operating in these projects;

d. To determine costs associated with various projects.

B. Rand Cooperation prepared a report on "Implementing and Substaining Title VII Bilingual Projects" as part of a several-year, two-phase study of federally funded programs designed to introduce and spread innovative practices in public schools.

The report describes the complex process of establishing bilingual programs in local school districts, with particular attention given to aspects of the Title VII program and to those political influences that affect local implementation.

5. We are currently training teacher aides and prospective teachers in approximately 12 Community and Junior Colleges, about 15% of the number of funded postsecondary institutions. This number is comparatively low since an important concern of our training programs is the certification of teachers. At this time, certification is tied in many areas to an approved University program which offers practical training leading to a bachelor's and master's degree in bilingual education.

6. We are encouraging consortia of universities with community colleges; an example is the cooperation between the University of Alaska and Kuskokwim Community College in the lower Kuskokwim Region near Bethel, Alaska. We are also encouraging inclusion of Community and Junior Colleges in the State Advisory Councils on Bilingual Education in several states.

You can be certain that we are continously interested in bilingual education in the Community Colleges, both in the United States and Puerto Rico. I hope that these replies to your questions are satisfactory. Please feel free to call or write me if you have further questions.

Sincerely,

John C. Molina
Director
Office of Bilingual Education

June 14, 1977

Hon. Ernest Boyer
Commissioner
U.S. Office of Education
Department of Health, Education
  and Welfare
Washington, D. C.

Dear Commissioner Boyer:

As you know, the Subcommittee on Elementary, Secondary and Vocational Education is conducting oversight hearings this year on federal elementary and secondary education programs. Last week, we held three hearings on federal bilingual education programs.

At the hearing on Tuesday, June 7, a discussion occurred on the provisions of section 731(a) of the Bilingual Education Act which states: "There shall be, in the Office of Education, an Office of Bilingual Education (hereafter in this section referred to as the 'Office') through which the Commissioner shall carry out his functions relating to bilingual education." The discussion centered on the fact that the present responsibilities of the Office of Bilingual Education involve only administering the Bilingual Education Act and part of the Education Professions Development Act, but no other programs providing bilingual education which are vested for administration in the Commissioner of Education.

Could you explain to us why these other programs providing bilingual education are not administered by the Office of Bilingual Education in light of the apparently clear mandate to the Commissioner to delegate the administsation of all such programs to this office? If there are provisions of any other law which contradict the face of this provision, I hope that you will provide us with detailed information showing this conflict.

I look forward to receiving a response to this letter within five days since this matter undoubtedly will reoccur during the cousee of our oversight hearings.

Thank you again.

With kind regards, I am

Sincerely,

WILLIAM D. FORD
Member of Congress

WDF:rsp

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE
OFFICE OF EDUCATION
WASHINGTON, D.C. 20202

Honorable William D. Ford
House of Representatives
Washington, D.C.

Dear Mr. Ford:

Thank you for your letter of June 14 requesting a clarification of why all bilingual education programs in the Office of Education are not administered in the Office of Bilingual Education as would seem to be required by the language of Section 731(a) of the Bilingual Education Act. I apologize for the delay, but for some unknown reason we did not receive your letter in the Office of Education until June 28.

Section 731(a), as you note in your letter, states: "There shall be, in the Office of Education, an Office of Bilingual Education (hereafter in this section referred to as the 'Office') through which the Commissioner shall carry out his functions relative to bilingual education." The Office of Bilingual Education, as you also note, currently administers only the Bilingual Education Act and part of the Education Professions Development Act.

There are three other easily identifiable authorities for bilingual education programs administered by the Commissioner. These are (1) Section 810(b)(2) of the Elementary and Secondary Education Act concerning the Improvement of Educational Opportunities for Indian Children, which specifically mentions bilingual and bicultural education programs and projects, (2) Subpart 3 - Bilingual Vocational Training - of Part B of the Vocational Education Act of 1963, as amended, and (3) Section 708(c) of the Emergency School Aid Act, programs for minority group children who are from an environment in which a dominant language is other than English...."

There are, or could be, projects in bilingual-bicultural education funded under other programs, such as Title I of ESEA and the Adult Education Act, not directly controllable by the Commissioner, or under broad authority not specifically related to bilingual-bicultural activities such as Part A of the Indian Education Act. We do not believe these residual authorities would be of concern here even though they provide substantial funding of bilingual activities. In these programs, the decision to conduct a bilingual-bicultural education project is in the applicant or in the responsible State agency, and it would not be practicable to transfer responsibility for review of these projects to the Office of Bilingual Education.

Looking at the above specified three authorities, we find an interesting dilemma. In the case of Indian Education programs, Section 441(a) of P.L. 92-318, enacted June 23, 1972, creates an Office of Indian Education which "...shall have the responsibility for administering the provisions of...Section 810 of Title VIII of the Elementary and Secondary Education Act of 1965, as added by this Act...." In the case of Bilingual Vocational Training, Section 1071(a) of the Higher Education Act of 1965, as amended in 1972, creates a Bureau of Occupational and Adult Education "...which shall be responsible for the adminstration of this Title, the Vocational Education Act of 1963, including parts C and I thereof, ..." Which act of Congress prevails in these instances? We believe that the general statutory directive that the Office of Bilingual Education carry out "functions relative to bilingual education" gives way to the more specific statutory directive that provisions of the Indian Education Act and of the Vocational Education Act be administered by other OE offices established by legislation.

In the case of the Emergency School Aid Act, bilingual-bicultural education projects are funded by the Commissioner, pursuant to a delegation from the Assistant Secretary for Education, under Section 708(c) of the Act. However, these projects may be funded only to the extent that they relate to a desegregation program of a local educational agency. To be eligible to benefit directly or indirectly under these projects, the local educational agency must be eligible under section 706 of ESAA, which requires a desegregation plan. Section 708(c)(3) requires these projects to complement any programs or projects carried out by the local educational agency under section 706. Therefore, bilingual-bicultural activities under ESAA must be understood as an integral element of ESAA's support of desegregation. It would be inappropriate to separate out the authority for administering this component from the overall ESAA program, and we do not believe that section 731(a) of the Bilingual Education Act should be read to command that result.

The confusions brought out by these examples illustrate very well some of the problems inherent in Congressional designation of structure within the Executive Branch. We would welcome the opportunity to discuss the problem further with you, perhaps in the upcoming oversight hearings on the General Education Provisions Act early next month.

I hope this has been responsive to the question you raised, and indicates that we have not ignored the will of Congress, but have tried to adapt reasonably to conflicting statutes.

With best regards,

Cordially,

Ernest L. Boyer
U.S. Commissioner
of Education